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CONTENTS

THE SHAPE OF THINGS 141

EDITORIALS:

THE SOVIET TRIALS 143

MR. KEYNES AND WALL STREET 145

A PROGRAM FOR LABOR 146

WASHINGTON WEEKLY by Paul W. Ward 147

A CHALLENGE TO PACIFISTS
by Vera Micheles Dean 148

BOETTIGER—HIS MASTER'S VOICE
by Ellen McGrath and J. P. Dallas 150

THE SUPREME COURT AND CIVIL LIBERTIES
by Isidor Feinstein 151

GERMANY'S ECONOMIC IMPASSE
by Alexander Vidakovic 153

ISSUES AND MEN by Oswald Garrison Villard 155

BROUN'S PAGE 156

BOOKS AND THE ARTS:

A BELIEVING THOMAS by Joseph Wood Krutch 157

ICHOR OF IMAGINATION by Marianne Moore 158

LOVER'S INDULGENCE by Michael Sayers 159

A CENTURY OF HISTORY by Clara Gruening Stillman 160

THE USABLE PAST by Lee Simonson 161

MODERN DANCE IN AMERICA by Francis Fergusson 163

NEW NOVELS by Caroline Smith 163

RECORDS by B. H. Haggin 164

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The Shape of Things

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BLOOD HAS AGAIN BEEN SHED IN FLINT, IN the course of the General Motors attempt to reopen its plants. Twenty-five men were hurt in clashes of strikers and company guards, and General Motors had to concede Plant No. 4 lost to the strikers. While the strikers were coping with one strike-breaking method, company guards, counsel for the C.I.O. was fighting another, the court injunction. General Motors is basing its plea on its property rights, but it ignores the fact that the most important property right involved is the right of the workers to have their jobs under decent conditions.

*

SENATOR BORAH'S ORATION OVER NBC IN defense of the Supreme Court was played up beforehand as a masterpiece by the tory press. It added nothing to the debate on the Constitution except to strengthen the conviction that the tories will oppose any curbing of the court's power and will insist on change (if any) by constitutional amendment, on the theory that they will be able to block an amendment more easily than a Congressional curb. And with this speech Senator Borah clinches the role of the Daniel Webster of his time. Meanwhile the court, in a decision which will have more influence than the Senator's speech, outlawed the Washington state utility tax, and showed that it is still operating on its old five-to-four basis.

*

IF THE SECRET OF HITLER'S SUCCESS HAS been his ability to do the unexpected, his fourth anniversary message was the least successful of his career. On internal policy there was little that he could say that had not been repeated a dozen times. The four-year plan will be pursued until national self-sufficiency is achieved, even though the food shortage is aggravated. But on foreign affairs he had a choice between meeting Blum and Eden halfway and thus alleviating the tension created by his Spanish adventure, and a bold gesture of defiance which would have electrified his supporters at home. In doing neither he revealed a weakness which may ultimately prove fatal for fascist leadership. The repetition of his demand for colonies meant little to his German hearers but profoundly disturbed the British, who looked in vain for a conciliatory note in answer to Eden's pleas. Similarly, his attempts to drive a wedge between France and the Soviet Union by asserting that there "are no humanly conceivable points of dispute"

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between France and Germany fell on deaf ears as far as the French government is concerned. The repudiation of the war-guilt clause stood as a lone reminder of the audacity by which Hitler has captured German confidence. With no further surprises possible except through violating the sovereignty of other countries, it remains to be seen how long Hitler can without war divert the people's attention from their empty larders.

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THE PAST WEEK'S REPORTS FROM THE MADRID front indicate that the government is once more on the offensive. Despite almost continuous rain or fog, the loyalists followed up their success at the Cerro de los Angeles with a brilliant advance in West Park which threatens the rebel position in the University City area. Government forces have also advanced in the vicinity of Bilbao and are said to be menacing Granada. At Malaga the situation remains critical, but the rebel advance appears to have been halted by government reinforcements. The increasing strength of the loyalist forces is largely due to improved morale, better discipline, and a development of the war industries in government territory, but it also reflects a steady deterioration in the rebel forces. The insurgents have already lost the better part of two armies—the regular Spanish army, which never could be trusted in fighting against the people, and the Moors, who have suffered terrific losses. As a last resort Franco has some 20,000 Germans to draw on, but he has hesitated to use them, possibly because he fears to alienate such sections of Spanish middle-class opinion as still believe in the patriotic motives of the rebels. If the insurgent army continues to deteriorate, Hitler and Mussolini will be hard put to carry through the first step in their program for world fascism.

✶

ACTION BY THE FEDERAL RESERVE BOARD increasing the reserve requirements of member banks by one-third reduces but does not eliminate the danger of credit inflation. As the board points out, the total amount of deposits in banks and the Postal Savings system, plus currency outside the banks, is already two billion dollars larger than in 1929. If the turnover on these deposits were comparable to pre-depression levels, they could support far greater business activity and considerably higher prices than exist today. Even with the new reserve requirements, there will be at least a half-billion dollars in excess reserves, which might be transformed into four or five billion dollars' worth of new credit. While it is true that the Federal Reserve Bank could further cut these reserves by selling its holdings of government bonds, such action would probably lead to an undesired increase in interest rates and impair the government's borrowing power. And if business activity increases very rapidly, some banks are likely to desert the Federal Reserve system in order to free themselves from the stringent reserve requirements. Yet some action was imperative, and it was well to take such a step before pressure from business groups made it impossible.

JUDGE JULIAN W. MACK HAS AGAIN SHOWN his talent for economic realism and judicious statement in a decision of the first importance in the Electric Bond and Share case. Our readers will recall the furor which was raised in holding-company circles by the so-called "death sentence" clause of the Public Utility Holding Company Act—a furor which was nourished by the hysterical opinion handed down by Judge Coleman in the famous Burco case and which, on what Chairman James E. Landis of the SEC calls the "bad Liberty League advice" of well-paid counsel, was extended into a bitter fight on the part of the big holding companies against registering at all under the act. The holding companies proceeded to tie the government up in a tangle of suits, and thus divide its strength. The government's strategy in turn has been to push the Electric Bond and Share case because it presents the issues most clearly. Judge Mack has decided that the registration provisions are separable from the rest of the act, that registration may itself be viewed as a regulatory device through the publicity of accounts which it achieves, and that it was not up to him to pass on the merits of the rest of the act, which can be decided by the courts after the companies register. The decision is as clear and admirable as any which has recently emerged from the lower federal courts.

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TO HERR GOEBBELS, GERMANY'S MINISTER OF Public Enlightenment, we happily recommend the following etymological item lifted from a French newspaper: The word Sanhedrin is defined as "the supreme council and tribunal of the Jews, presided over by a president, the Nazi."

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TOM MOONEY HAS LOST THE FIRST ROUND of his new fight for freedom. Early in 1935 an application for a writ of habeas corpus was presented to the Supreme Court of the United States on the ground that Mooney's conviction was in violation of the Fourteenth Amendment. The court denied the writ, holding that Mooney had not exhausted the resources of the California courts. The proper steps were promptly taken, one by one. An appeal to the Superior Court of Marin County was denied without a hearing. An appeal to the Appellate Court of the state was denied in a two-to-one decision. In July, 1935, the California Supreme Court appointed as referee an attorney named Shaw to report to the court on Mooney's charges of perjury and frame-up. After lengthy investigations, hearings began. They lasted 135 days and were marked by bitter wrangling between the referee and Mooney's attorneys and by the dramatic appearance as witnesses of both Mooney and Billings. And now the referee has at last handed down his expected "findings." He reports that the trial was not a frame-up, that perjured testimony was not introduced, and that evidence favorable to Mooney was not suppressed. The state Supreme Court will soon hear arguments on the report and will render what will also un-

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doubtedly be an adverse decision. Whereupon the case will again be taken before the Supreme Court of the United States and the real fight for Mooney's freedom and the righting of a historic wrong will there be waged.

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THE DETAILED PICTURE OF A RACKET WHOSE tentacles reach into organized labor is being unfolded at the trial now going on in New York City on the basis of material dredged up by Thomas E. Dewey and his staff of investigators. The courage of one Benny Gottesman, secretary of Local Number One of the Waiters' Union, in resisting the illegal advances of racketeers armed with money, guns, and, allegedly, the support of a Tammany leader stands out against the sordid evidence of bribes, shakedowns, and betrayals involving officials of other locals and the agents of "Dutch" Schultz. Some trade unionists have accused Mr. Dewey of using his investigations to discredit labor, though this hardly jibes with his well-known political ambitions. There is genuine danger in the new wave of agitation for laws to "protect" labor unions which the trial has set in motion. There is no reason why unions should not be subject to laws giving the public access to their accounts. But both labor and liberals should be wary of legislation going beyond this. *The Nation* has consistently pointed out that ultimately the only cure for racketeering in unions is rank-and-file control. In more than one union in New York City this cure has been effected in the last few years. If the industrial-unionism movement succeeds, it will be more potent than any legislation in sweeping labor's house clean.

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THE MUDDY WATERS OF JAPAN'S CABINET crisis have not been appreciably cleared up by the formation of the new government. General Hayashi's appointment as Premier is clearly a makeshift which does not resolve the situation definitely in favor of one side or the other. Nor does it indicate any change in foreign policy, although it was dissension over foreign policy that caused the downfall of the Hirota Cabinet. From the point of view of the army extremists, two distinct issues were involved. One, the maintenance of a unified control and the elimination of factionalism within the army, was a matter affecting the military. The other, involving dissolution of the Diet and the establishment of an authoritarian government, was a question of national politics. Starting a drive to settle the second of these issues, the army extremists blundered into raising the first over the question of General Ugaki as Premier. A man of wide experience, strong mind, and independent convictions, Ugaki was distinctly out of favor with the ruling army clique because of personal clashes in the past. Neither issue has been settled by the choice of General Hayashi. Although he is a solid army career man, he represents the moderate conservative group rather than the extremists, and this does not help the cause of army unity. And with the army still in control, the struggle between the military and the Diet is bound to recur.

Behind the Soviet Trials

IT IS possible that it will be another hundred years before all the actual facts about the recent Soviet trials are known. That is true of any complex event that involves clashes of national policy and the ambitions of individuals. Meanwhile it is the task of progressives all over the world to appraise, without any political or emotional commitments, the meaning and implications of what has happened in Russia, to separate legal procedures from political realities and both from matters of faith. Russia is the laboratory in which the success of a workers' state is being tested. And when there is an explosion in the laboratory, the whole world watches the results.

The foremost question in the recent war of the pamphlets has turned on how authentic the confessions are and how fair the judicial procedure. The other big question is the relation of the trials to the struggle for power going on in Russia. Both questions must be viewed in the context of Soviet law and revolutionary history.

Soviet public law differs from ours in several essential respects. In a regime of Socialist construction such offenses as sabotage and wrecking, which in other regimes would be classed merely as property crimes, are considered crimes against the state. Moreover, Soviet judicial procedure is patterned more on the Continental model than on the Anglo-American. A man is held for a political crime after an initial investigation by the Department of State Security. There follows an elaborate examination by the State Prosecutor, witnesses being called and a verbatim report of the evidence taken down. All this is secret. Finally comes the trial itself, in which the defendant is given the right of counsel (whatever may be its value in the hostile atmosphere of the regime) and of utterance, and in which he has a chance to deny or withdraw confessions or testimony given in the preliminary examination. Like other Continental trials, the Soviet trial is informal, both prosecutor and defendant being allowed to make speeches which we should consider as belonging on the hustings rather than in a courtroom. The tribunal is the Supreme Court of the U. S. S. R. and from it no appeal lies. Death penalties are provided for a whole series of political and economic crimes against the state. Nor is there anything unusual, even outside Russia, in basing a conviction upon confessions. In both English and American law all that is needed to prove treason is two witnesses to the overt act or a confession in open court. The heart of the difference between Soviet and Anglo-American law lies rather in the meaning assigned to "open court." With us the trial is the thing itself, with the burden of proof resting upon the prosecution; with the Soviets it is the final stage in a series of investigations, and the defendant's safeguards lie not in the sifting of every scrap of testimony and documentary evidence but in his chance to challenge or repudiate any testimony. According to Soviet law, the government is under no obligation to publish documentary evidence, and seems in these cases to have lived up to its own judicial procedures. But the prosecution's failure to produce and publish

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such evidence has profoundly disturbed everyone brought up in the Anglo-Saxon concept of due process.

The first reaction of liberals to the trials was one of sheer incredulity. Surely the thing was not possible! Given crimes so monstrous, how explain the fulness, even the fulsomeness of the confessions? To the credit of most liberals, they did not place much stock in the theories advanced by the Hearst papers, the *American Mercury,* and their close runner-up, the now reactionary *Time*—theories of the use of torture or of some strange and hypnotic "confession gas." The first trial had a bad press, both in England and America. If the second has had a markedly better press—and we believe it has—one reason is that the incredulity has decreased before the relentless piling up of the testimony. Another reason is that the defendants in the second trial, especially Radek, Piatakov, and Serebriakov, were men of more stubborn strength and greater integrity than those of the first trial, and their confessions were therefore more impressive. Finally, the suspicion that the confessions might in the first trial have been extorted by a promise of freedom was weakened when the executions were carried out and when it became clear that the defendants in the second trial made their confessions while facing what they believed to be certain death. It would have been possible for Radek to say a few words of repudiation in open court in the presence of foreign correspondents and the diplomatic corps, and with those words to electrify the whole world. That he did not do so carries considerable conviction.

This leads us from the realm of judicial procedure to that of political reality. It must be clear that the two recent trials do not stand alone. They are best viewed as rounding out (of course there will be other trials soon, but they will be sequels to the last two) a chain of judicial prosecutions of political offenses that stretches back over the last fifteen years. In 1922, after the attempt on Lenin's life, twelve Social Revolutionaries were condemned to death at proceedings attended by Vandervelde and Liebknecht, but their sentences were commuted. From 1926 to 1933 there was a succession of trials of Soviet and foreign technicians, among them the Shakhty trial of Russian technicians in the Donetz coal mines in 1927-28, the Kharkov trial of Ukrainian intelligentsia in 1930, the trial of Professor Ramzin and other Soviet engineers in the same year, the 1931 trial of the Menshevik professors, and the 1933 trial of the Metro-Vickers engineers that caused such a furor in England. In 1934, however, a new phase was reached by the Kirov assassination, followed by a series of reprisals including the round-up and secret trials at Moscow, Leningrad, Minsk, and Kiev of some two hundred persons charged with being implicated in the murder, and the execution of more than a hundred. The two recent trials are thus part of a sequence in which the Soviet regime has fought its internal enemies, economic sabotage, and the danger of foreign intervention. But they differ from those that have preceded in that the defendants have been "Old Bolsheviks" who served with Lenin and occupy an important place in the calendar of revolutionary heroes.

This whole sequence of sabotage and conspiracy on the one hand and ruthless judicial prosecution on the other is best explained in terms of the struggle for power that has been an inevitable part of the consolidation of the revolutionary regime—a struggle that has involved both men and ideas. To understand this struggle it must be remembered that most of the defendants in the last two trials were, along with Lenin and Stalin, the leaders of the October revolution. It was difficult for these men, as Stalin moved into power, to take subordinate positions to one whom they considered their intellectual inferior. One must understand the bitterness of men who were once giants in the revolution and who now felt that their opinions were ignored and their talents wasted in minor administrative posts. One must understand also the bitterness of Stalin and his following, who believed that these men would stop at nothing to displace them from power. One must remember the long sequence of secret maneuvers, arrests, exile, repentance, and pardon in the cases of Zinoviev, Kamenev, and several of the others. And one must see these personal conflicts and hatreds, finally, in the context of a struggle between two theories of revolution—between the belief that the social revolution all over the world must be put ahead of everything else, and the belief that the best contribution to the revolutionary cause was the defense at all costs of the hard-won Socialist gains in Soviet Russia. This struggle was exacerbated by events in Germany and China, and it came to its highest pitch in the belief of the anti-Stalin group (now seen to be mistaken) that Russia would leave the Spanish masses to their fate.

The part of the charges most difficult of belief is the part that has to do with conspiracy with fascist powers. Here one can only suspend judgment. That the opposition group, seeing the economic gains that the Stalin regime had achieved, seeing also the massive administrative machine and the fabulously strong army that it had built up, and realizing that it had intrenched itself in the opinion of the masses—that in the light of this the group should have turned to terrorism and conspiracy is quite plausible. It is less credible that they should have gone so far as to negotiate with hostile foreign powers, although it may be made to fit into the same pattern. For it has been part of the creed of world revolution that national boundaries are less important than revolutionary gains. Lenin himself used the permission of the Kaiser's government to pass through Germany on his "sealed train" in order to reach the scene of revolution. And at Brest-Litovsk he was less concerned with the territory he had to cede than with the task of building up the revolutionary regime. Minds convinced of the rightness of their cause might even have gambled with a possible war between Russia on the one side and Germany and Japan on the other, especially in the belief that such a war would be a certain prelude to world revolution.

From the side of the Soviet government it is probable that the trials have been not only judicial prosecutions but also publicity exhibits. In the present position of Soviet Russia, threatened as it is by war, the health of the state consists in complete unity, and the discrediting of "Trotskyism" by connecting it with terrorism, sabotage,

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and fascist conspiracies may have seemed an effective way of removing the last vestige of opposition. In foreign affairs the Soviet policy of forming a popular front with the democratic forces and against fascism is threatened by similar opposition. The charges of foreign conspiracy and attempts to restore capitalism in Russia may therefore have been emphasized for their effect upon mass opinion.

A final question remains—whether the whole episode indicates a political weakness inherent in the Soviet system. The passing of a handful of men, however important as revolutionary figures, is of minor importance and in itself cannot touch the inner fabric of the regime. But the trial itself and the conspiracy from which it emerged, even assuming as true the most extreme charges of the government, are both disturbing. The plain fact is that under a proletarian dictatorship men who differ fundamentally from the government cannot express their differences through political action. When a regime makes opposition illegal it sows the seeds of conspiracy; the inevitable result is the growth of plots which find their sequel in ruthless repression and in trials like the one just concluded. This circle can probably be broken only when stability—domestic and international—has existed long enough to allow the realization of the democratic aims embodied in the new Soviet constitution, and by further additions of democratic procedures in ever larger doses in the future. Ultimately in a proletarian dictatorship, as distinguished from a fascist state, no ruling group can remain in power unless it uses its energy and strength for purposes of which the working class approves. That must be the final test of the Soviet system. Meanwhile the sympathetic outside observer must offer the Russian government a measure of that criticism which a legal opposition provides the government of a democracy. He must point out the dangers inherent in a prolonged dictatorship, while refusing to use the trial as the enemies of the Soviet Union are using it—as a curtain which they draw down upon Russia's positive achievements in building a collective economy and a culture.

Keynes and Wall Street

JOHN MAYNARD KEYNES, the most gifted and provocative of contemporary economists, has written a series of articles in the London *Times* calling upon the British government to take immediate steps to protect the country against the next depression. He is no alarmist; but he insists that the time to prevent a slump is while the economic curve is upward. Action taken after the onset of depression will be palliative at best.

Mr. Keynes's program is consistent with the one he has been advocating—more or less vainly—for four years, but it is adapted to a different stage of the economic cycle. He believes that the time has passed for the government to try to stimulate business activity and that it should now devote its efforts to the contrary policy—a deliberate attempt to slow down the forces threatening boom conditions. But he rejects the weapon by which this has traditionally been achieved—dear money, which he says must be avoided "as we would hell-fire." Instead, he suggests a cessation of public works, an increase in taxes, and a reduction of the public debt. To supplement this, he suggests that the creditor countries permit a flow of gold to the raw-material-producing states to fortify them against the next crisis. As a final recommendation, Mr. Keynes proposes the establishment of a board of public investment which would make plans now for socially justified public works that should be undertaken upon the appearance of the next slump.

Perhaps the most striking thing about Mr. Keynes's program is the fact that it is almost the direct opposite of that proposed by the more conservative Wall Street interests in this country. The financial pages of our press have been filled recently with statements calling for a return to "normal" interest rates. It is true that Wall Street would like a reduction in the public debt, but it has fought bitterly against all proposals for an increase in the income tax (which is what Mr. Keynes means when he calls for increased taxation). The recently adopted policy of sterilizing gold imports is likely to hinder a normal deflation in our fantastic gold reserves, and a board of public investment is about the last thing that Wall Street would tolerate in its present mood.

But the fundamental difference between Mr. Keynes's economics and those of Wall Street lies far deeper. Wall Street assumes that any policy which increases profits and benefits the wealthier elements in the population is automatically beneficial to the country as a whole. Keynes believes that the primary weakness in the capitalist system is to be found in the failure of the wealthier groups to spend their incomes on consumption goods and in their tendency to "overinvest" savings in needless productive enterprises. Thus an increase in prosperity which, like the upturn of the past year, chiefly affects the property-holding classes, lays the basis for the next slump.

A word of warning is necessary to those who would apply Mr. Keynes's theories directly to this country. In contrast to the situation in Great Britain, American consumers' incomes have been maintained in recent years primarily by governmental expenditures. And despite a certain amount of new capital construction, it is probable that buying power would immediately bog down if public works and other government expenditures were severely curtailed. Doubtless Mr. Keynes would be the first to recognize this, for he advocated vigorous governmental enterprise in the depressed areas of England, where a volume of unemployment comparable to that of the United States still exists. It also must be remembered that American taxation is but a fraction of British taxation of moderately high incomes, and that America's provision for maintaining mass purchasing power through social insurance is far less extensive than the British program. When the London *Times* repeats somewhat approvingly Mr. Keynes's fundamental plea for "a gradual reconstruction of our social system, with the object of providing everyone with the means of maintaining a decent level of consumption," it is asking for something far more comprehensive than our New Deal. Can anyone imagine the New York *Times* in a similar role?

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A Program for Labor

WE HAVE presented in these pages in the past few weeks recommendations to Congress and to the Administration for promoting the public welfare in such a way as to consolidate the forms and the reality of democracy, carry out its avowed and socially necessary aims, and at the same time insure efficient operation of the vast mechanism of government in a country three thousand miles square. It is a relatively simple matter to project specific legislative programs for social security, for relief, even for reorganization of the administrative mechanism. In the field of labor relations, however, we come up against the whole problem of economic and political power whose shifts determine, and are never determined by, laws. As a consequence recommendations can only be relative.

It is a truism that the forms of government reflect the organization of economic power. The Supreme Court and its accretions of power during 150 years are firmly grounded in private ownership and capitalist property claims; the National Labor Relations Board is no less a reflection of labor's power; and the disparateness of their strength and prestige is a not inaccurate gauge of the relative political strength of big business and labor, of ownership and, essentially, non-ownership. At the moment, the dominant characteristic of the political landscape is the fact that *non-owning* labor, by organizing its mass, is beginning to challenge *owning* big business. Labor, as Mr. Lewis says, is on the march. Concurrently the Administration, for a variety of motives ranging from the desire to spread purchasing power to a sentimental and hence not reliable attachment to the democratic ideal —not to mention the practical necessity of catching votes from an increasingly class-conscious electorate—is encouraging the march of labor at least to the extent of putting no obstacles in its way. The two developments are of course related, and both owe their present importance to the business cycle which has recently completed one of its most vicious circles. In a word the forces represented by the National Labor Relations Board are challenging those represented by the Supreme Court. (No wonder the Supreme Court instinctively reaches for a constitutional club with which to destroy the NLRB.) And the Administration for the moment is egging on the aggressor. Or rather it seems to be egging labor on. In reality, its encouragement has consisted in supporting such laws as the Wagner Labor Relations Act and allowing the National Labor Relations Board to function freely even if it means that some of our best corporations are shown to be in league with labor-spy agencies. The Administration has not yet taken steps to insure the enforcement of the laws it has allowed to pass, and most of them have broken against the high stone wall of Supreme Court opposition. This will continue to be so until labor has organized its economic power so well that its political battering ram can level that wall.

In a period of shifting power, with industry intrenched but on the defensive and labor potentially strong but not yet organized, what may we expect in the way of legislative proposals, what are we likely to get in the way of laws, and what should labor seek to obtain?

We have already had a wide sampling of proposals from the right. They include facsimiles of the British trades-disputes act and a law against sitdowns. The most disingenuous is the suggestion that labor unions be incorporated—which by making them suable would hand them over, securely trussed up, to a system of courts expensively dedicated to defending the rights of property. It is unlikely that the present Congress will take any of these proposals seriously. It will almost certainly pass the bills that emerge from the discussions now going on in Administration quarters. The burden of these discussions is the revival of the basic principles of the NIRA in a form which will not be declared unconstitutional. Labor will of course support the general trend toward the establishment of minima of wages and hours and the drive for reemployment. It would be fruitless to review the various proposals in their present indecisive stage, but the labor lobby would do well to support the plan offering the least scope for the direct or indirect regulation of its activities. It should also realize, taking the longer view, that legislation modeled on the NIRA will tend to increase monopoly. This being so, labor must take up the cudgels for the consumer, who is ultimately only a wage-earner in reverse. The best way to judge the merits of any bill on the first count—that of regulation—is to consider what uses it might be put to by a reactionary Administration. As for the dangers of monopoly, the only effective protection, in the long run, will prove to be the socialization of basic industries.

The only legislation on the horizon relating directly to labor is the pending bill to give the Secretary of Labor power to subpoena parties to a controversy such as the present deadlock between General Motors and the United Automobile Workers. William Green is against it; John L. Lewis presumably favors it. In a way it illustrates the dilemma of labor and legislation. A weak, unaggressive labor movement (the A. F. of L. and Mr. Green) would either have no use for such a law or would have reason to fear it might be used to labor's disadvantage. A potentially strong, aggressive labor movement (the C. I. O. and Mr. Lewis) might find it a useful weapon in bringing to terms an employer (Mr. Sloan) whose plants are already shut down. Paul Ward points out that the bill has little chance of being passed because Congressmen feel that to support it would be to vindicate the sitdown.

The moral is clear—and we have drawn it often before. Labor's first job is to get ahead with organization. It should use the existing laws to the full as, for instance, it has used the Wagner Act and the NLRB to foster a favorable climate for collective bargaining. It should pay close attention to legislation in general, for in a period of shifting power every law is a labor law. It should advocate new laws warily, keeping always in mind the fact that where political minorities are concerned even good laws do not achieve gains but only signify that gains have been made.

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WASHINGTON WEEKLY

BY PAUL W. WARD

Vladimir Romm

Washington, January 31

THE General Motors strike has vied with the bewildering Moscow trials for the center of the conversational stage here these last few days; so that a number of other vital developments—such as the President's TVA stand and the further disclosures of the La Follette and the Wheeler committees—could not get the space they deserved. No matter how bewildering and contradictory the Moscow trials were, they would not have captured the attention of the body of office-holders and journalists who are the nation's capital had they not involved in Vladimir Romm a man who until last November was Washington correspondent for *Izvestia.* Romm had fascinated a great number of the local journalists and civil servants. He was the only dyed-in-the-wool revolutionary that most of them had ever seen at close range. Whereas Troyanovsky and his staff held themselves aloof except for the precise social contacts of embassy receptions and musicales, Romm had circulated freely. The men found him likable and the gals found him charming. He had an Oriental suavity, courtly manners, a lean figure, curly black hair, and handsome, if slightly protuberant, brown eyes. I knew him, I am inclined to think, better than most and lunched with him many times. He had been a student and had entered the army at the time of the revolution. His wife had been a school teacher and was, it always seemed to me, a stauncher revolutionist than her husband. He was a more intellectual and therefore more troubled being.

I should like to do something to help Romm out of his present peril. So would many other members of the Washington press corps. A group of them recently interviewed Troyanovsky, leaving behind a note of intercession that somewhat naively suggested Romm could not have been a conspirator because he never let any of his friends here in on any of the alleged plotting. That move was made before the trial court let Radek and two others escape the firing squad. On the day the sentences were announced, the correspondents' unit of the Washington Newspaper Guild, at a meeting which only fifteen of its nearly seventy members saw fit to attend, adopted a resolution expressing "solicitude for the welfare of Romm in the court proceedings at Moscow" and sent the resolution to the State Department. The vote, taken after heated discussion, was nine to five. One or two members of the opposition were Stalinites. The rest fought the resolution on the ground that the Guild was a trade union and should confine its attention to trade-union matters. This type of opposition had caused a full meeting of the Washington Newspaper Guild held a few days earlier to refer the Romm case to the correspondents' unit, which has no members from the chains, press associations, or local papers.

While I knew Romm well and received from him a farewell letter written aboard ship as he returned to Russia, I can contribute little bearing upon his innocence or guilt. I know that he was unhappy here. I know, too, that his wife was eager to return to Russia and that he was not. His feelings on the matter were obscure; he frequently was vague in his speech. He was particularly vague about his recall, conveying at times the idea that he was being sent to London and at other times that he was being recalled to Moscow. He seemed moody and tense, and I was morally certain he was returning under a cloud. But it never occurred to me—perhaps because the embassy gave him a jolly farewell party—that he was in trouble politically. I thought that his work, perhaps, had been unsatisfactory. He frequently consulted me about events in the United States but, with one exception, I could never get him to go out with me and see those events taking place. The exception was the time I got him to attend a United Mine Workers' convention. He was inclined to shun active contact with news events and to prefer to read about them in the seclusion of his apartment. He was preoccupied most of the time with the Far Eastern situation, perhaps merely because he had represented *Izvestia* at Tokyo. If he was either a Stalinite or Trotskyist zealot, he concealed it well. I never heard him say anything even remotely critical of the present Russian regime, and his intellect was such that it is as hard to associate him with the fantastic plot Vishinsky laid bare as it is to associate Radek with it.

The most startling development of the last few days has been the sudden restoration to Frances Perkins of the spirit that flared all too briefly in her in that early New Deal day when she spoke her piece at the NRA steel-code hearing. A rapid search of the records fails to reveal that any of her predecessors as Secretary of Labor ever spoke out so bravely and to such good effect as she did this past week after General Motors' Sloan defied her summons to a peace conference here with John Lewis. When she voiced her belief that Sloan's refusal "must make it clear to the American people why the workers have lost confidence in the General Motors Corporation," she was talking as a Secretary of Labor should talk. And she has continued talking in this vein, for she is fighting to recover her lost prestige and has at last been made to realize that labor expects the head of the Labor Department to be its champion and not merely a referee with a social-work complex. Unfortunately, she is trying so hard that she seems to be cracking under the strain.

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She was nearly in hysterics when she had to announce Friday night that Sloan had "run out" on her a second time, and now she has had to let the peace negotiations be switched back again to Governor Murphy and chalk up a failure for herself. As this is written, her White House boss still is afraid to take a hand openly in the General Motors strike beyond publicly rebuking Sloan for his recalcitrance. Precisely what happened here Friday—whether Sloan did agree to a peace conference and then recant—is a matter of dispute between him and Miss Perkins. The weight of the evidence, however, favors the Secretary. The evidence also indicates that it was not Mr. Sloan who made the final decision for General Motors.

Miss Perkins's proposal of legislation giving her department power to subpoena records and witnesses and prosecute fact-finding inquiries into the causes of major labor disputes seems to have little chance of becoming law. Efforts to line up Congressional support for it revealed only that a large block of Congressmen were averse to taking any action that might be construed as supporting the General Motors strike and defending the sitdown technique. Labor Department lobbyists found Southern Congressmen particularly opposed to the suggestion; they fear adoption of the sitdown by share-croppers. For that matter, the proposal has none too vigorous support from labor, for it obviously can be twisted to labor's detriment. But a labor movement committed to reliance on the federal government can ill afford to balk at this point. Furthermore, the dangers involved for labor are more theoretical than real. Such disclosures as labor has to fear can always be laid bare by employers without the aid of new legislation; they have only to turn to the courts and the injunctive process. Publication of Miss Perkins's proposal was followed immediately by efforts to depict it as a proposition without Presidential sanction. The A. F. of L. was the only sucker caught by this bait. Bill Green issued a statement attacking the Secretary's plan. He got it off the mimeograph and into distribution just as the White House put its official imprimatur on Miss Perkins's proposal.

At the same time that Roosevelt rebuked Sloan and designated Miss Perkins as his personal representative in the General Motors peace negotiations, he called strike three on Dr. Arthur E. Morgan and the "power pool" plan by which the utilities hoped to end the TVA. The President's new Power Policy Committee is virtually the same in personnel as the old National Power Policy Committee that gave us the Wheeler-Rayburn public-utility holding-company bill. All that has happened is that General Markham, T. W. Norcross, and David E. Lilienthal have been dropped, and Frederic A. Delano has been added to say yes at proper intervals. Benjamin V. Cohen remains the committee's general counsel, and Joel D. Wolfsohn continues as its executive secretary. There is no need to fear that these boys will hoist a white flag with the fight against the power trust at last swinging in their favor.

A Challenge to Pacifists

BY VERA MICHELES DEAN

THE Spanish crisis, by crystallizing the struggle in Europe between fascism and communism, has raised the question whether the democracies should passively view this struggle from the sidelines or meet the challenge of aggressive dictatorships even at the risk of war. This question has been complicated by the fact that the Western democratic governments regard both fascism and communism with suspicion and avoid a clear-cut alignment with the Soviet Union against fascist powers.

At this stage of their history the peoples of France, Britain, and the United States—the so-called "satiated" countries—have little love for militarism, are reluctant to become involved in any incident which might provoke war, and are eager to substitute pacific methods for the arbitrament of force. But they are profoundly divided and confused in their ideas of how a peaceful world should be achieved. Many pacifists, while abhorring the violent and arbitrary character of dictatorships, would rely on persuasion, generous treatment, and the satisfaction of just grievances to wean dictators from the use of force. They apparently assume that peoples living under dictatorial rule not only share their desire for peace but are free to advocate a pacific policy—an assumption disproved by the treatment which men like Ossietzky have received in Nazi Germany and Fascist Italy. Some pacifists who condemn the use of force in international affairs attack the French and British governments for failing to supply Spanish loyalists with arms, the very production of which they had previously opposed; or they advocate economic sanctions against an aggressor without facing the risk of war that sanctions imply. Others, believing that the peace settlement of 1919 sowed the seeds of existing unrest in Europe, demand revision of the treaties as the first step toward organization of collective security; and contend that the democratic governments, whose past records bear the stains of imperialist aggression, should not cast the first stone at armed dictatorships. Nor are pacifists united in their political views. Some believe that peace cannot be secured until the whole world is ruled by socialism or communism; other revolt at the idea of cooperating with communism against fascism, and seek perilous refuge in strict isolation. In this maelstrom of contradictory ideas it is essential for those concerned with the preservation of peace to ask themselves a few searching questions, and

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to determine what policies may serve to prevent war.

It must be recognized at the outset that, so far as political technique is concerned, the government of Stalin is no less a dictatorship than that of Hitler or Mussolini, and that the new Soviet constitution, significant as it is for its bill of social and economic rights, fails to transform the Soviet Union into a democracy in the Western sense. But two important distinctions—rooted in the history and geography rather than the political theories of Russia, Germany, and Italy—should be drawn between fascist and Communist regimes. The Soviet government, through its efforts to raise the economic and social level of a backward people which had known only the rule of a reactionary autocracy, constitutes an important step forward in Russia, while the dictatorships of Germany and Italy represent a setback for the forces of liberalism in countries once considered standard bearers of Western civilization. Moreover, Hitler and Mussolini, claiming that they need land and natural resources for their expanding populations, openly threaten European peace, while the Soviet Union, which has no such needs, has displayed an unmistakable desire to avoid war.

Can the democracies prevent war by adopting a passive attitude toward the encroachments of fascist dictatorships? Spain's experience proves that a policy of non-intervention, unless strictly enforced, plays into the hands of potential war-makers. The pacific nations in their desire to avoid war observe the restrictions, while the dictatorships disregard them. France and Britain have sought to justify this policy on the ground that the non-intervention agreement, with all its loopholes, has so far prevented the war from spreading beyond the confines of Spain. They assume that without such an agreement Germany and Italy would have openly supplied the rebels with war material and forcibly tried to block Soviet or other aid to the loyalists, thus creating immediate danger of a European conflict. This assumption, based on a number of imponderables, is as difficult to prove or disprove as the British government's conviction in 1935 that oil sanctions against Italy would involve Europe in war. It may be asked, however, whether the democratic governments, by taking it for granted that resistance to dictatorships must inevitably cause war, are not simply rationalizing their reluctance to face the prospect of another war.

Would the democracies, by resisting the demands of dictatorships, precipitate another world war? The danger of war is always present in a world armed to the teeth, where not only bodies but minds are daily schooled in military drill. There is no reason, however, to believe that war will follow more readily if the democracies take a determined stand against unprovoked aggression than if they pay any price the dictators may demand for the maintenance of peace. Continued truckling to the threats of potential aggressors may temporarily avert conflict, but it fails to remedy the international maladjustments which eventually produce war.

Would the dictators carry out their threats of aggression if warned in advance that they would meet with resistance on the part of democracies? By skilful propaganda the dictatorships have sought to convince the world that, unless their demands are met, they will use force. Much of the bellicose atmosphere created by fascist spellbinders is sheer bluff, which succeeds only because the democracies are paralyzed by fear of war. General de Bono in his book on the Ethiopian campaign reveals that, had Britain shown signs of resistance as late as 1935, Italy might have renounced the offensive preparations it had begun three years before. The real danger is that the democracies, ultimately goaded into resistance, will fail—as did Britain in 1914—to make their attitude known until the eleventh hour, thus encouraging the dictators to take up positions from which they cannot retreat.

What will the dictators do if they encounter no resistance? Obviously they will not squander men and money on war if they can achieve their ends without it. Europe can have peace indefinitely, provided it bows to the will of the dictatorships.

Can peace be negotiated with dictatorships? No informed person denies the injustices of the Versailles treaty or the legitimacy of German demands for revision of its territorial clauses. If it were merely a question of reexamining the status of the Polish Corridor, Danzig, and Eupen and Malmédy, and of giving Germany a share in the administration of African mandates, this question, difficult in itself, would not defy solution by international negotiations. Nazi Germany, however, lays claim to territories which were not torn from the Reich at Versailles: it would absorb Austria, detach the Sudeten region from Czecho-Slovakia, dominate the Balkans, and unite all Europe under Hitler's leadership in a crusade against communism, with the ultimate objective of securing the Ukraine and possibly the Urals for German agriculture and industry. Do Germany's legitimate grievances against the former Allies, or the fact that these grievances fostered the growth of National Socialism, justify a scheme of expansion that aims at German hegemony in Europe? For the democracies to acquiesce in this scheme would be to purchase a short-lived respite by abandoning all countries east of the Rhine to Hitler.

If negotiations with Hitler and Mussolini offer little hope of any but a dictated peace, what is the alternative? Should the democracies jointly resist the expansion of dictatorships, even if their resistance may ultimately involve the use of force? Democracy achieved its hold on Western Europe by fearlessly combating feudalism, monarchy, and hereditary privilege. Today, as a result of their long tradition of compromise, free speech, and respect for the rights of the individual, democratic governments use the threat of force only in exceptional circumstances. They tend to rely on diplomatic negotiation and the exchange of concessions. But they are beginning to learn that in dealing with fascist dictators these tactics meet with undisguised contempt. If the democracies seriously intend to oppose the avowed aggressive aims of the dictators, they must be prepared to meet force with force. Those who deplore the encroachments of fascist dictatorship and demand sanctions against aggressors, yet condemn armaments, reveal a dangerous confusion of thought.

It may be argued that the use of force—which might

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have been justified if collectively applied by the League of Nations—is not admissible today, when all states are arming and the League shows signs of disintegration. Might not armed democracies, in cooperation with the Soviet Union, merely organize a new Holy Alliance designed to suppress the dictatorships and freeze the status quo, thus recreating the conflicts of the pre-1914 period? This danger exists. But the alternative—the unopposed expansion of German and Italian rule—is even less to be tolerated. The only course open to realistic pacifists is to support strong resistance to aggressive dictatorships while urging an honest attempt to remedy their legitimate grievances. Pacifists and radicals who prefer the continuance of democratic methods of government to the ruthless techniques of fascism must be prepared to defend their choice. Democracy must not be left unarmed.

Boettiger—His Master's Voice

BY ELLEN McGRATH AND J. P. DALLAS

Seattle, January 26

THE spectacle of William Randolph Hearst in sheep's clothing does not deceive organized labor in the Northwest. Here labor is wise in the ways of employers who have lost a strike. The Seattle *Post-Intelligencer,* closed for three and a half months by a strike of the American Newspaper Guild, was reopened in true Hearstian style. Public meetings were called by the Chamber of Commerce. Fireworks were set off in the streets at night. And John Boettiger, President Roosevelt's son-in-law, was hired to manage the paper.

Assurances were given to the public that Mr. Boettiger would have a "free hand to run things as he saw fit." Organized labor was told that chiseling on contracts and other unfair practices of the past would be stopped. These practices and the incipient fascist attitude of the paper had driven labor into a unanimity of action never before witnessed in this part of the country.

The craft unions of the printing trades had contracts of many years' standing with the Hearst management. Yet when the newly organized guildsmen struck, the printers, the pressmen, and other organized crafts closed the plant and kept it closed for the duration of the strike. This was done in spite of the opposition of their principal international officials, who outlawed the strike and refused to grant strike benefits. A plan for a settlement sponsored by William Green, after a conference with Hearst representatives, was promptly turned down by the striking unions and the Seattle Central Labor Council. Only when Hearst came through with an offer embodying practically all the Guild's demands was a settlement arranged.

This, then, was the scene upon which Mr. Boettiger appeared as Hearst's peace offering to the people of Seattle. There were some who regarded the hiring of the President's son-in-law as sure proof that Hearst and the *Post-Intelligencer* had turned over a new leaf. Others, more critical, pointed out that Hearst had used this same kind of tactics before on his Chicago paper, that W. V. Tanner, former publisher of the *P.-I.,* was still retained as an official, and that perhaps Mr. Boettiger was merely to be window dressing. The majority, however, viewed the whole matter with a healthy skepticism.

Skepticism is fast disappearing. The first conference between Boettiger and union officials resulted in a disagreement. When invited to meet jointly the executive boards of all the unions involved, he at first declined. He preferred to meet each union separately. But the Maritime Federation of the Pacific has taught the value of solidarity to all Northwestern labor, and the lessons of the picket line have not been forgotten either. Mr. Boettiger met the unions jointly.

Mr. Boettiger has an engaging personality. He turned the full force of it on the new union with a plea not to raise labor issues at present but to give him time to get his feet on the ground. Yet at this very time a company union was being formed, and it has continued to exist with his knowledge. A majority of Seattle labor is fast coming to believe that his feet are not only on the ground but stuck in the mud. Dave Beck, one of Seattle's most powerful labor leaders, recently had a conference with Boettiger on the company-union issue. Exactly what Beck said is not known, but reports agree that he told the young publisher that company unions were not wanted here.

The real issue facing the Guild in Seattle as the result of the successful *Post-Intelligencer* strike is the company union. To persons not familiar with the situation this may seem a paradox. A victorious union with a company union still to deal with—how can that be? The answer is that at the time the settlement was made there was no company union. It has been organized and grown to be a menace since Boettiger became manager of the paper. When the Guild members went back, they got recognition but not a closed shop. A wage raise and improved working conditions were granted. The Guild expected to organize the unorganized members of the staff with ease.

Backed by Hearst's organization and millions a company union is a serious matter to any labor organization; for inexperienced white-collar workers it is particularly serious. It is a standard policy of Hearst's to pay well a few key men in the organization and to underpay the rest. He counts on the privileged few to stem the rising tide of organization. Throughout the strike certain "loyal employees" were paid their salaries. These men now head the company union. When the local Guild chapter was being formed, they remained aloof. With brand-new fat contracts in their pockets, they are the spear-

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head of Hearst's strategic move to prevent unionization of his white-collar employees. "Wouldn't I be a sucker to join the Guild when I can get a week off any time for any writing I choose," said Doug Welch at the hearing of the Labor Relations Board.

The Roosevelt family connection with Hearst's *Post-Intelligencer* does not stop with a mere son-in-law. Anna Roosevelt Boettiger, the President's daughter, has become associate editor in charge of the women's department. Her actions in this post have strengthened the suspicion that the Boettigers were bought by Hearst to cover the licking he took in the strike and the Presidential election, and to give a liberal front to his reactionary policies. Among the chief supporters and advertisers of the paper had been the members of the women's Republican groups —Pro-America, Women of Washington, and other similar organizations. Anna Roosevelt Boettiger's job was to win back the support of these women for the paper after the post-election headache. One of her first acts was to organize the Homemakers' Club for *Post-Intelligencer* readers. Women who a short time ago were extolling the democracy of Mr. Landon over the sovietism of Mr. Roosevelt are now hobnobbing with the President's daughter down at the Homemakers' Club, where they ponder various ways of using a biscuit mix made by one of the paper's biggest advertisers.

Word that President Roosevelt's wife had applied for membership in the American Newspaper Guild came over the teletype, but it was not given space in her son-in-law's newspaper. When Mrs. Boettiger was invited to join the Guild, she said she knew nothing about it, and as the wife of the publisher was unwilling to take any action that might be contrary to the policy of the paper.

As one Guild member put it, "Hearst, the old leopard, still has his spots." Chiseling started the day the strike ended. Richard Seller, president of the Guild, was shunted to the night beat at the police station. By-lines of active guildsmen were conspicuous by their absence from the paper. Not until pressure was applied by the Guild and associated unions was Mr. Seller restored to general assignment and by-lines to active guildsmen.

These incidents, while minor in themselves, did not strengthen confidence in John Boettiger. In fact, they tended to prepare members of the Guild for his response to the Labor Board's decision. The strike was called originally when the Hearst management fired Frank (Slim) Lynch, fifteen years a staff photographer, and Everhardt Armstrong, seventeen years a dramatic critic on the paper, both active members of the Guild. During the strike their cases were placed before the National Labor Relations Board. The strike settlement provided that "all striking employees shall return to work without discrimination or prejudice" and that the cases of the two staff members whose discharge precipitated the walk-out "will continue in the hands of the National Labor Relations Board." Labor accepted the settlement in the belief that Hearst would abide by the then pending decision of the board.

On January 15 the National Labor Relations Board published its decision against Hearst and for the two discharged employees. It ordered Hearst and the management of the *Post-Intelligencer* to reinstate Lynch and Armstrong. On January 16 over Boettiger's signature the paper repudiated its obligation to comply with the order and announced that it was going to fight the decision and appeal to the federal courts. This will mean interminable delay. It will mean an ultimate appeal to the Supreme Court, with the risk that the whole Labor Relations Act may be invalidated. Northwest labor is unwilling to have the issues languish in a long-drawn-out court fight. The Guild, backed by the Seattle Central Labor Council, is considering further action.

The Supreme Court and Civil Liberties

BY ISIDOR FEINSTEIN

THIS year we celebrate the 150th anniversary of the signing of the Constitution. The Bill of Rights will figure in after-dinner speeches, and newspapers will repeat the noble phrases that have come from the Supreme Court in defense of civil liberties. Few will mention that these phrases come almost entirely from dissenting opinions and that the Bill of Rights—under the expert manipulation of the federal courts—has never been what it was thought to be. The Constitution is 150 years old, but the decision in De Jonge *vs.* Oregon handed down on January 4 happens to be the first in all that time in which the constitutional guaranty of free speech, press, and assembly was applied by the Supreme Court in a case involving a radical. That the court has always—or almost always—been ready to defend the liberties of conservatives will remain of merely academic importance until police begin beating up members of the Union League for criticizing the government. A decision setting aside the conviction of a Communist, De Jonge, under the Oregon criminal-syndicalism law is genuinely a victory for civil liberties.

Even this victory may be overestimated. De Jonge was arrested at a meeting called by the Communist Party in Portland, Oregon, to protest against the illegal raids made by the police in their effort to break the longshoremen's strike in 1934. He was sentenced to seven years in jail for "criminal syndicalism." Despite the capacity of the judicial mind to befog the simplest issue when fog is advantageous, De Jonge's conviction could hardly be regarded as other than a clever invasion of fundamental

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liberties. It is indicative of how far we have drifted that we are so pleasantly surprised when the court begins to recognize the obvious.

I say "begins" to recognize. A law that provides the police with any excuse for breaking up meetings of this kind—and the history of criminal-syndicalism cases since the war shows that this was no exceptional occurrence—is a menace to freedom. It is comparable to a law which would enable the police to make a practice of confiscating automobiles on the excuse that they were trying to prevent fatal accidents. Would the court order a seized automobile returned but leave standing the law which permitted its confiscation? The court does not exercise forbearance in dealing with property rights. In the Schechter case, though it was only called upon to decide the constitutionality of federal supervision as applied to the purely intrastate poultry business, the effect of its decision was to void the NRA in its entirety and to lay down principles which would seem to bar federal wage, hour, and trade-practice regulation in *any* business. The court is more circumspect where fundamental liberties are concerned. It did not hold the Oregon statute unconstitutional. It merely set aside this particular application of it. "We hold," the court said, "that the Oregon statute as applied to the particular charge as defined by the state court is repugnant to the due-process clause. . . ." Would the court were as cautious in dealing with social legislation!

The De Jonge decision may even have drawbacks. Liberal decisions have often been won in the past at the expense of establishing restrictive principles which bear evil fruit in later cases. The Supreme Court in this case decided only that no man could be found guilty of criminal syndicalism merely for participating in a meeting held under Communist auspices. The court goes on to tell what offenses De Jonge might have been convicted of: ". . . while the defendant was a member of the Communist Party, he was not indicted for participating in its organization, or for joining it, or for soliciting members, or for distributing its literature." De Jonge's case was "remanded for further proceedings not inconsistent with this opinion." Do these words mean that if De Jonge were now to be indicted and convicted of joining the Communist Party, or recruiting members for it, or distributing its literature, the court would be ready to uphold the conviction? Some price must have been paid for the acquiescence of Sutherland, McReynolds, Butler, and Van Devanter in this opinion. Has the court laid the basis for greater restrictions than ever on civil liberties under our state criminal-syndicalism and anarchy laws?

Nor is it pleasant to find what seems to be an implied acceptance of the idea of surveillance over the exercise of the rights of speech and assembly. In dealing with property rights the court has held that freedom is the rule and restraint is the exception. In the matter of fundamental liberties it has been held—though the principle has been more honored in the breach—that only an overt act or clear and imminent danger justifies limitations on the exercise of free speech, press, or assembly. The court in one part of this decision speaks a new language. "The broad reach of the statute as thus applied," the court says, "is plain. While defendant was a member of the Communist Party, that membership was not necessary to conviction on such a charge. A like fate might have attended any speaker, although not a member, who 'assisted in the conduct' of the meeting. However innocuous the object of the meeting, however lawful the subjects and tenor of the addresses, however reasonable and timely the discussion, all those assisting in the conduct of the meeting would be subject to imprisonment as felons if the meeting were held by the Communist Party." And if all those who participated were adjudged Communists and if the object were not "innocuous" and the discussion were not in the court's opinion "timely" or "reasonable" and the "tenor" of the addresses were to be considered unlawful, what then?

Past experience underscores the necessity for vigilance. The Bill of Rights is prominent in the official portrait of the court, but plays an inglorious role in its actual history. The federal courts were enthusiastic in their enforcement of the Sedition Act under Adams. The Supreme Court was ineffective in its one puny gesture of protest against Lincoln's suspension of habeas corpus, and with it of all basic rights, during the Civil War. The court helped to forge new instruments of repression in its interpretation of the immigration laws. It was ready to find excuse in far-fetched analogies for the use and abuse of the Espionage Act during the World War. It has consistently upheld criminal-syndicalism laws, product of the post-war red scares. The De Jonge case and its predecessors disclose the wide gap between myth and fact even in a civilized community. Our legal soothsayers have succeeded in portraying as a tribune of the people a governmental organ whose most consistent and conspicuous function has been the adaptation of our basic law to the needs of corporate enterprise. Not a few timid liberals still fear curtailment of the court's swollen powers lest it be unable to protect us from fascism. In their visions they see Justices Sutherland, Butler, McReynolds, Van Devanter, and Roberts manning legal barricades in defense of Messrs. Norman Thomas and Earl Browder. This is pure fancy.

Even Justice Holmes (in the war-time Schenck case) drew from the illegality of advocating murder and the wickedness of shouting "fire" in a crowded theater constitutional non sequiturs that place powerful instruments in the hands of those who may some day seek to regiment the American people. No construction has been too broad when property rights were before the court. It has been ready to enlarge on the Constitution and to invoke the divine order of things to legalize some of the greatest steals in our history, notably in the Yazoo frauds and the Crédit Mobilier scandal. But it looked the other way when the Chicago anarchists were hung, Debs was jailed, Mooney framed, and Sacco and Vanzetti sent to the chair. It will cut through all procedural difficulties and overturn well-established precedents to review both law and fact when a utility company appeals from a rate-cut order, but it falls back on extremes of legal punctilio when human lives and basic liberties are at stake, especially

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those of radicals, that is, of those who most need protection. Far from being a bulwark against fascism, the court may serve a double function in its rise. If the court continues to hamstring Congress and state legislatures, it will play directly into the hands of the fascist demagogue who sneers at the "inefficiency" of democratic processes. If fascism comes and the court should, by some miracle, seek to block it, Der Duce will not play Alphonse and Gaston with the court. On the other hand, a fascist regime will find material in past court decisions to provide itself with legal, nay, "constitutional," justification; even in two decisions handed down by liberal justices.

The Fifth Amendment guarantees due process and trial by jury, but in the Ju Toy case Justice Holmes held that this did not give the right of appeal from an administrative order barring a man from this country, even though a lower federal court had decided that the man was a citizen of the United States. The decision, providing as it does the basis for arbitrary administrative action, would be a blessing to the director of a concentration camp. Justice Brandeis's decision in the Dorchy case may yet—though he himself was innocent of any such intention—provide the basis for serious restrictions on the right to strike. And the criminal-syndicalism cases, notably the conviction of the Socialist editor, Gitlow, will make easier the process of finally suppressing free speech, press, and assembly. I have a sneaking suspicion that when *der Tag* comes, if it does, the "liberal" De Jonge decision will have its uses, too.

Germany's Economic Impasse

BY ALEXANDER VIDAKOVIC

Raw Materials and Food

IF GERMANY'S financial and industrial problems were merely internal, there is no saying how long the economic Bedlam in the Reich might continue. The people's ignorance of the real situation, the financial wizardry of Schacht, and the discipline of Nazi rule combine to prevent an explosion. The internal problems are complicated, however, by Germany's dependence on foreign raw materials and food. It is this that forces the Reich to maintain a system of economic life and interchange which, if not exactly normal, cannot deviate from the normal beyond a certain point.

Germany's ability to obtain goods from abroad is restricted by two facts. One is that in buying foreign raw materials and food it cannot, as in its internal economics, rely on the sale of property, because it has no property which is convertible into means of payment acceptable to foreign sellers. Its colonies have gone. Its pre-war investments abroad, estimated at about 25,000 million gold marks, have been lost, confiscated, or sold. The few crumbs of private foreign holdings which may be picked up through the threat of the death penalty can hardly make any difference. The 28,000 million marks borrowed from abroad during the early post-war period have all gone for reparation payments, for internal reorganization, or to offset the unfavorable trade balance of those years. All that Germany has inherited from the past is 7,000 million frozen marks from its creditors and a reluctance on the part of foreign investors to freeze more cash into the German economic structure. Therefore all Germany's purchases must be made from current resources.

The second restriction is the fact that the country's resources are strictly limited. Not only did the Nazi regime come into power at a time when foreign trade, after the 1931 financial débâcle, was at its lowest, but the Nazi philosophy, with its gospel of self-sufficiency, has rendered the situation even worse. By deliberately cutting imports in order to obtain a favorable trade balance which might be used for armaments, Germany also cut down its export capacity, and no subsequent efforts to increase exports have met with any success. During the four years of Nazi rule German exports have remained practically stationary—4,871 million marks in 1933, 4,167 million in 1934, 4,270 million in 1935, and 3,853 million during eleven months of 1936. Such surplus as is created, moreover, is largely earmarked for repayments under the standstill agreement, since most of German trade is now carried on through clearing accounts. And the standstill debt, although it was reduced by 500 million marks in 1934 and by 350 million in 1935, is still 1,750 million marks. Even these meager results—meager because they represent no more than 30 or 40 per cent of the export volume of pre-Nazi days—were obtained at great sacrifice. Export subsidies are estimated to have cost Germany about 1,000 million marks in the last four years.

Instead of pursuing the policy of an active trade balance against the gold-owning countries of the West, Germany pursues a policy of a passive trade balance against the raw-material and food-producing countries of the East. Huge debts have been run up on clearing accounts with the object of forcing those countries to receive in exchange any kind of German goods, wanted or unwanted. Even this ingenious arrangement, however, seems to be doomed to failure: first, because many of those states, having found that Germany was buying goods from them on credit which it was reselling for solid cash, are now endeavoring to reach the cash-paying countries directly; secondly, because Germany tried to exploit trade connections for political influence; and, thirdly, because much of the merchandise foisted on these states was poor in

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quality as a result of the use of substitutes and the deterioration of the German industrial plant.

In short, with the diminution of its gold reserve under the Nazi regime from over 400 to 66 million gold marks, the cessation of industrial deliveries to Russia, and the decline of its competitive strength in the agricultural countries of Eastern Europe, Germany has little prospect of an export trade which will bring in the solid cash required for foreign purchases. The only means left of increasing the quantity of imported raw materials, therefore, is to cut down food imports. This the government has done ruthlessly. Wheat imports, which in 1927 were 2,530,000 tons, were cut in 1935 to 145,000 tons, and during eleven months of 1936 to 23,000 tons. Maize imports for the same periods were cut from 2,105,000 tons to 282,000 and 166,000 tons respectively; barley was cut from 1,996,000 tons to 158,000 and then to 47,000.

Such a reduction of food imports might be justified if Germany in the meantime had succeeded in increasing its food production. But this it has not done. To take the two most important cereals, the production of wheat in the present Reich area has increased from the 1913 figure of 4,000,000 tons to an average of 4,700,000 tons for the 1934 to 1936 period, while the production of rye has actually declined from 10,000,000 tons to an average of 7,500,000. In the current winter the country faces a production of bread cereals of 12,420,000 tons, which is admitted to be insufficient, and a poor estimate for the winter rye. In live stock there has been some increase, although not of a spectacular kind. During the period 1927 to 1936 horned cattle increased from 17,200,000 to 18,900,000, and pigs from 19,400,000 to 22,800,000. With domestic food production more or less stationary and food imports from abroad drastically reduced—as against an increase in population—the German nation must consume less per capita now than it did in pre-Nazi days. The reduction, indeed, appears to have been about 15 per cent in 1935 and to have approached 20 per cent in 1936.

The slogan, cannons instead of butter, has thus become a reality. The German nation under Nazi rule is paying with privation for the future honor of becoming cannon fodder. Even this might be bearable if the reduced standard of living were borne equally by the whole nation, and if the reduced expenditures for food were releasing more cash for other articles of consumption. This, however, is not the case. In order to make up somehow for increased production costs, workers' wages have been kept down severely; they have even been reduced 3.2 per cent since 1932. The average weekly wage in the steel-and-iron industry, which employs 151,000 men and pays comparatively high wages, is 44.25 marks before "voluntary" and other contributions have been deducted. That in the textile industry, which employs 197,000 workers, is as low as 23.12 marks. Most of the other industries range between these two. The average weekly wage in the chemical industry is 37.77 and in the paper industry 31.18 marks.

With wages stationary, the German worker has to contend not only against a general rise of prices in the last four years from an index of 93.3 to 104.3, but also against a surreptitious increase in retail food prices of anything from 10 to 25 per cent above the official price. It is no wonder therefore that the demand for consumption goods has not kept pace with that for production goods. During the last year, indeed, the production of consumption goods has dropped a further 2 per cent against an increase in production goods of 26 per cent. And since even this diminished amount of consumption goods includes 30,000 private cars and many luxury articles, we are forced to the conclusion that there is plenty of money in the hands of a small and select minority, while the workers have to meet the costs of armament with tightened belts.

From whatever angle we look at conditions in Germany they appear precarious. With most of the available capital frozen in government hands, with an incipient inflationary movement which can be counteracted only by contraction of credit, with an unreplaced wear and tear of plant which must lower its competitive power abroad, with an inability to increase purchases of raw materials beyond a certain point, and with a vanishing margin for the reduction of food consumption, Germany is piling up for the future a cumulative debt of threatening dimensions. Substitutes (*Ersatz*) can hardly extricate the nation from this predicament, as their production is too costly for a nation with lowered earnings and would require also a reorganization of finance and industry such as Germany is no longer capable of carrying out. Nor would devaluation help, as the mark is already devalued to all intents and purposes, and further devaluation would only increase the cost of raw materials. The Reich Institut für Konjunkturforschung definitely states that "a rise of only 1 per cent in the price of raw materials would mean an increase in expenditure in foreign exchange of about 3,000,000 marks per month for imports."

This does not mean, however, that the end is in sight. There are still numerous means of prolonging present conditions. A reduction of interest would lessen state obligations. Confiscations and the sale of assets can continue for some time. Maintenance of the wage level may still delay a rise in costs even though it cannot prevent the growing gap between the internal and the foreign price level. Finally the Nazis do not hesitate to use force to back up argument or bolster waning enthusiasm.

But such delays do not imply a solution. There are only two possible solutions. One is that Germany receive back its colonies or be given easy access to raw materials. This, of course, could be contemplated only under a stipulation that the raw materials were not acquired simply as a means to further armament. The other would require a complete reversal of the present armaments policy and a return of finance, industry, and labor, through a series of painful adjustments, to normal productive activities. Such a reversal of policy would be tantamount to abandoning the tenets of the Nazi philosophy. If neither of these methods is tried, the result must be collapse or explosion.

[*The first part of Mr. Vidakovic's article, How Hitler Pays His Arms Bill, was published last week.*]

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Issues and Men

BY OSWALD GARRISON VILLARD

THE most disappointing feature of the President's plan for a reorganization of the government is his failure to combine the army and navy under one head. I am well aware that there is a difference of opinion as to the desirability of this consolidation. Major General Johnson Hagood has come out against it on the ground that it has never been done in the United States, and that the army and navy cooperated efficiently during the Civil War and during the World War. He dislikes it also because it is a European idea. But surely it is significant that all the foreign governments are moving in this direction, the last being the French government under Prime Minister Blum. Certainly if any country has a difficult and dangerous defense problem it is France. The proposed reorganization, moreover, was not a product of scheming politicians but, if the press is correct, originated with the military themselves. Some American army men would take direct issue with General Hagood. They point out that whatever may have happened in war time, there is no coordination whatever in peace time and no joint planning for future eventualities. To the lay mind it is an extraordinary thing that the army has one air fleet and the navy has another, and that the Marine Corps and the Coast Guard also have their own fliers. I have heard an officer of high rank say that if war should come suddenly the army and navy air fleets might go off at tangents or perhaps even get in each other's way. Today they do not communicate with each other or even buy their planes cooperatively.

From the point of view of saving money it seems as if enormous economies could be made by coordinating the army and the navy. Both departments have to buy boots, clothing, food, motor cars, and many other articles of equipment. Is there any question that savings could be made by placing joint orders? General Hagood is terribly concerned about the waste of public funds by the army. In his new book, "We Can Defend America," he has an entire chapter entitled Pity the Poor Taxpayer, but the economy of combining the two departments does not interest him at all. It is true that the problems of army and navy are quite different, but the plan provides for separate under secretaries in charge of the army, the navy, and the united air corps. At least under this arrangement we should have an end to the present preposterous situation in Washington, with the War and Navy departments in sight of each other and yet utterly ignoring each other's existence. Perhaps if both were under the same head, there might be some decrease of the intense antagonism the two military services cherish for each other—an antagonism that does not come to the surface very often but is there none the less.

But the important thing is that there should be some planning for the future. At present national defense policies are not coordinated with the policies of the Chief Executive. For this the army and navy are not to blame; the responsibility rests with the White House. As a result, so far as the country is aware, no actual defense program has been laid down. President Roosevelt, like his predecessors, keeps saying that our army and navy are for defense only, but both arms buy offensive weapons meant for overseas use and do not limit themselves to purely defensive measures. What does defense mean? Nobody knows. Does defense mean an attack on Japan's coast, or does it mean defending the line from the Aleutian Islands to Hawaii and thence to Panama? On the Atlantic Coast does it mean defending our shipping lanes between the United States and South America, or does it mean only actual defense of our harbors and shores? The army, if all reports are true, is still thinking of war in terms of 1917 and is again planning to land some say two million, some say three million, men in Europe. General Hagood says that our coast defenses "are a pile of junk." He says that no progress of any kind has been made in improving our harbor defenses during the past twenty-five years. Yet we have spent billions and billions for defense. Why must this be? And would this continue if there were one head responsible for the whole situation?

Last year Congress authorized a number of new air stations. Was this in accord wih a long-studied and carefully worked-out national program. Obviously not. Are we building coast-defense vessels? No, indeed; the two new battleships that are to be laid down are meant for long voyages and overseas fighting and are not coast-defense vessels. And so it goes. What the President ought to do is obtain authorization from Congress to set up a civilian board to study this defense problem and map a course which would make this country invulnerable so far as armaments can do it. I don't believe it can ever be done and I am personally opposed to armaments and to the waste of funds involved, but as that seems to be the policy of the country at the present time, let's at least do it efficiently. I was the first daily journalist in the United States to urge the formation of a general staff in the hope that that would make the army a little more efficient. General Hagood's book says that it is woefully inefficient and wasteful and that it will take years and years to make over the War Department into an effective instrument for the purposes for which it was created. Why not try putting all the defense under one head? If the General is right, we could not be much worse off even if consolidation should fail.

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BROUN'S PAGE

Louis and Lewis

ONE of the products of the American genius for organization is the prize-fight game. Of course, industry would be a better word. Boxing flourishes in some other countries and we imported it from England, but no other nation has ever devised anything to match the ballyhoo which is put on here in preparation for an encounter. It seems to me that the newspapermen assigned to cover the sport are among the most talented of reporters. The average managing editor in handling his forces uses his brightest workers for baseball and for boxing. Floods and strikes are covered by the second stringers.

Any ambitious youth on a newspaper welcomes the assignment to the sports department. His pay is likely to be higher, and he will have more space and a greater amount of freedom from interference. Occasionally there may be such a thing as paper policy in regard to some promoter or club owner, but there are fewer sacred cows on the diamond or in the ring than graze along the meadows of the world outside.

The result is a somewhat lopsided sort of journalism. A year or so ago an instructor in a Middle Western college tested his class with, "Identify John L. Lewis, Joe Louis, and Sinclair Lewis." Somewhat unfortunately the Negro pronounces his name precisely as the labor leader does, and this was sufficient to cause a great deal of confusion among the students. At any rate, the net result was the discovery that only a small fraction of the class had ever heard of John L., while the recognition of Joe was practically 100 per cent.

To be sure, the president of the United Mine Workers of America has made giant strides in the last few months. His name has been pretty constantly on the front page, and a good many editorial writers seem to be under the permanent instruction, "Begin each day with a denunciation of Mr. Lewis." Nevertheless, I rather suspect that Joe still leads in popular recognition. And that is a pity, because Lewis is actually a far more interesting figure than Louis. Indeed, John L. can even challenge comparison with his rival in the latter's own line of endeavor. The punch which felled Hutcheson was a more important blow than any ever delivered by the "Brown Bomber." I think that Mr. Sloan's best friends ought to warn him that when John L. knocks a man out he stays knocked out. Although more than a year has passed, Hutcheson still appears to be inarticulate and glassy-eyed.

I seem to see preliminary symptoms that American journalism may be coming of age. I am thinking specifically of the interesting case of Paul Gallico. Mr. Gallico was the sports editor of the New York *Daily News*. He was particularly well known and widely quoted as an authority on prize fights. His post was just about top in his field. A survey revealed the fact that he was the most popular sports writer in New York City. He took a year's leave of absence to devote himself to magazine work, and when he returned everybody was surprised to hear that Gallico had asked to be taken off sports and put on general reporting. Thus while his old companions were down at Pompton Lakes, New Jersey, watching Joe Louis knock out stooges in training, Gallico was in Flint observing the far more interesting battle between John L. Lewis and Kid Sloan, the Harry Greb of fighting tactics in the industrial ring.

It seems to me that Paul has chosen the better part, although I will admit that as yet the crowd at Dempsey's does not say as frequently as of old, "Did you read Gallico today?" That will come in time. We need to be educated. Indeed, we need to unlearn a great deal of persuasive writing which has been set before us every day for a number of years.

One of the curious things about the trade of writing sports is that the practitioners sometimes succeed in fooling themselves. When Schmeling knocked out Joe Louis, he jarred the experts mightily. Almost without exception they had picked Joe to win. Indeed, he had been hailed by many as the super-fighter of all time. Since I was one of those who had joined in the chorus of acclaiming Joe Louis as the outstanding heavyweight of the age, I cannot afford to put on superior airs. My apology must contain the admission that I don't know very much about boxing and that I never did.

To me at the moment Louis is more interesting as a social phenomenon than as a ring technician. In spite of his vast hitting power he is too mechanical in his methods. One feels the hand of his trainer, Blackburn, always upon his shoulder. Joe does what he is told. In person he seems to me to be shy but affable. Of course he had no great opportunities of education in his early life. What native shrewdness he possesses is still debatable. Generally he dodges questions such as those bearing on his attitude toward the Scottsboro case and other vital problems affecting the Negro. As a rule when a sports writer talks with Louis, he deals only in such stock questions as "How do you feel today, Joe?" "Who do you think will win the pennant in the American League?" Or "Have you seen any moving pictures lately?" You can't really figure out a man's I. Q. on any such meager test.

But I do think it is unfortunate that many Negroes in America should have adopted Joe Louis as a hero and to some extent have overlooked the real leaders of the race. John L. Lewis through the organization of Negro workers in the mass-production industries has done more than Joe. Indeed, I ask leave to change my original estimate. I think that Lewis is the greatest heavyweight of our day.

HEYWOOD BROUN

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BOOKS *and the* ARTS

A BELIEVING THOMAS

BY JOSEPH WOOD KRUTCH

THE character of Tom Paine was built upon that framework of cast-iron rectitude—unassailable but not always lovely—typical of the reformer *pur sang*. Drink, so often the vice of those who permit themselves no other, got him at last; but like most professional freethinkers in the days before freethinking became respectable, he seemed to feel that public repudiation of Christianity necessarily entailed the practice of all those Christian virtues which Christians so commonly feel it enough to believe in; and the "practical" revolutionists found his stubborn adherence to principles as inconvenient as conservatives ever had.

It is true that—again after the common fashion of those reformers whose high opinion of the human race makes them unspeakably cruel to its not always unamiable weaknesses—this defender of the rights of women contracted a marriage he had no intention of consummating because he believed a convenient marriage would put him in a better position to improve the lot of woman in the abstract. But he was sentenced to death by successful revolutionists in France and cold-shouldered by successful revolutionists in America because he was naive enough to insist that a revolution ought to achieve its professed aims, and was yet to learn that no one is likely to turn more suddenly "realistic" than a revolutionist who has just succeeded in getting the upper hand. When he pleaded for humanity at a meeting of the convention, Marat protested that Paine was a Quaker whose "mind is contracted by the narrow principles of his religion; he is incapable of the liberality requisite for condemning men to death."

Hesketh Pearson's biography* does not pretend to present any new facts or anything startlingly new in the way of interpretation. It is sympathetic both to Paine as a man and to his ideals, though the point of view is distinctly that of one who is ready to anticipate the disillusionments which so obviously came as a surprise to Paine himself. Though hardly more than a piece of solid journalism for the occasion of the bicentenary, it is, nevertheless, pleasantly readable and informative. One discovers Paine, the corset-maker, overmastered by passion for his various convictions. On Franklin's advice he goes to America, where he stiffens and unifies the purpose of the colonists so successfully that he has been credited with doing more than any other man to make the revolution a success. After that he is alternately in England and France—wherever he can get in the most trouble—and he ends almost literally in the gutter, partly at least because he had the bad judgment to provide his attacks on the Bible as a convenient excuse to those who would have felt less easy in their minds had they been compelled to persecute him for his political sentiments alone. Mr. Pearson stresses the practical effect of "Common Sense" and "The Crisis"; he does not say much about something which may have been quite as important. The American Revolution was in part a phase of eighteenth-century "enlightenment," in part a specific quarrel between England and a group of colonists who were by no means philosophers first of all. Paine probably did as much as any single person to supply these colonists with what is now called an "ideology," and to organize practical American discontent along the lines of eighteenth-century liberalism.

Paine was, of course, neither a scholar nor a littérateur. Something of the limitations of the typical village atheist, of the faddist who sees certain things so clearly that he does not see anything else, clung to him always, and his writing is about as devoid of overtones as any writing could be. Few great pamphlets have been so little more than pamphlets as his, and the only excuse—a good one incidentally—for the unimaginativeness of his treatment of Biblical literature is the fact that this "reasoning" of his was at least no more unimaginative than what we should now call the "fundamentalism" of his clerical and respectable opponents.

It must be admitted, on the other hand, that several bits of table talk quoted by Pearson have a bite and an irony more finished than anything I can remember from the formal works. "There is no body of men more jealous of their privileges than the Commons—because they sell them." "If I were obliged to accept a title it would be that of knighthood, as the infamy of it would not descend on my family." Or a bit of economic interpretation which anticipated Anatol France's famous remark about the prohibition against sleeping under bridges: "The law is equally open to the poor and the rich; so is the London Tavern." Pearson also tells a delightful story about how Paine once insisted upon putting to the vote of a company his opinion that, since the ignorant are more numerous than the wise, the minority should govern all assemblies. All agreed with Paine except "Peter Pindar," who thereupon insisted that by Paine's own contention he, Pindar, must be right. Paine's proposition may seem a strange one for a democrat, but the explanation is, I suppose, that in those days democrats were in the minority, and that the opinion which most of us hold concerning the "wisdom of the majority" is pretty likely to depend upon whether or not the majority is with us.

Just how deep Paine's final disillusion went I am not

* "Tom Paine, Friend of Mankind." By Hesketh Pearson. Harper and Brothers. $3.

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myself sure, but Mr. Pearson seems to think that it went pretty deep. Contemporary Marxists will of course insist that in so far as the movement of which he was a part failed to achieve the "free" and beautiful society he looked forward to, the failure was due to the fact that economic democracy was not achieved along with political democracy. That inequalities of wealth are among the immediate causes of the difference between what actually resulted and the results which idealists like Paine hoped for, no one can well deny. But to say that is by no means to prove that, to put it bluntly, nothing except "capitalism" stands between mankind and Utopia. One may admit that Paine was insufficiently aware of the power of wealth to corrupt society, but one may also state his mistake in general terms. Paine was one of that large class of reformers who assume that nothing stands between mankind and the good life except human institutions. He refused to admit, or at least to take sufficient account of the fact, that human nature also is somewhat less than perfect, and finds a way of expressing itself even under institutions which perfectionists have drawn up on paper. The real question is whether or not Marxists also are insufficiently aware of the fact.

BOOKS

Ichor of Imagination

THE INFERNAL MACHINE. By Jean Cocteau. Introduction and English Version by Carl Wildman. Oxford University Press. $3.

IN "The Infernal Machine" Jean Cocteau is as he was in "Orphée," a " 'fantaisiste' on a known theme." Fulfilling the prediction of the oracle, as in Sophocles, Oedipus kills his father Laius (by accident, not knowing the victim), thwarts the Sphinx (the devourer of the young men of Thebes), is rewarded by marriage with Jocasta (queen, and his own unrecognized mother), and having been made aware of his guilt puts out his own eyes. "He solves riddles, becomes king and an object of affection, is envied of all, yet suffers a desperate end; never call a man happy until you have read the last chapter," is the summary by Sophocles, and with it one compares "The Infernal Machine" by Cocteau, also Carl Wildman's statement in the introduction: "He has dived with the greatest ease into the heart of the legend and brought back the almost sacred characters stiff with glory, brought them back to life, humanized them." Act I lacks contagion, but the play does gradually compel in the reader an author-forgotten, self-forgetting, participating suspense.

A potent device in fiction or drama is that in which one character describes another to that other, unaware that he addresses the person of whom he speaks. This principle, inherent in the original Oedipus, Cocteau has made the most of; as in Jocasta's remark, "What a courteous young man! He must have been taken care of by a very kind mother, very kind"; and where, misconceiving the recoil of awareness with which Jocasta recognizes the scars on his feet, Oedipus says they were "from the hunt, I think." This principle is extended by Cocteau in the encounter of the Theban matron with the young girl in white whom she warns against the Sphinx. Sophocles's device of the corroborating shepherd who confirms Oedipus to himself is matched by Cocteau in the episode of the talisman returned to Oedipus by Teresias—the belt Oedipus had given the Sphinx, saying, "This will bring you to me when I have killed the beast." It is a good and dramatic moment in Act I in which Laius's ghost calls to Jocasta and the soldiers—undiscerned by them while they commiserate one another on its non-appearing; and there is drama in the mockery of Oedipus by Anubis, in the nightmare, Anubis repeating the words which Oedipus had naively spoken to the Sphinx, "Thanks to my unhappy childhood. . . ."

"Logic forces us to appear to men in the shape in which they imagine us; otherwise, they would see only emptiness," Anubis is made to say—a statement of which the invisible ghost of Laius is an illustration; also a strong clue to the mind of Jean Cocteau himself. The extra character, Anubis—death's orderly—is an invention particularly characteristic of Cocteau—cognate to Azrael and Raphael, death's assistants in "Orphée." In that preceding play "darkness has been shown in broad daylight," Mr. Wildman says; and always it is as the poet we must think of Cocteau—the person who says "a thing can rarely at the same time be and seem true," who says he is "incapable of writing a play for or against anything"; and warns one that "it is not the poet's role to produce cumbersome proofs." M. Cocteau is haughty and dictatorial, he does not spread his cloak on the mud, he does not make promises, and his temperament permeates all his concepts; but he is fervent. His ardor of imagination, voracity of presentment, inexhaustible fund of metaphor, and crisp fastidiousness comprise an apperceptiveness rivaled only by that of the animals.

Aphorism is one of the kindlier phases of autocracy and is used from time to time in "The Infernal Machine." Creon says, "The most secret of secrets are betrayed one day or another to the determined seeker," and the Soldier says, "A word of advice: let princes deal with princes, phantoms with phantoms, and soldiers with soldiers." But going beyond mere incisiveness, M. Cocteau sometimes imparts to a word a kind of lovable neatness, such as we have in Aristophanes where he speaks of the man who whiled away the time making frogs from fruit skins. We have it in Corbière and in E. E. Cummings; and in Clarence Day where "l'hippopotame" is introduced as an equivalent for the Biblical behemoth.

Cocteau's vituperative tendency of superficial contentiousness appears in the soldiers' banter; and as Mr. Wildman notes, in the Sphinx. Yet more marked—as an asset however—there is the tendency to incantation. One sees it in Le Grand Ecart, in the Narcissus passage, where the river "cares nothing about the nymphs or the trees it reflects—longing only for the sea"; and here, in the Sphinx's self-characterization: "A judge is not so unalterable, an insect so voracious, a bird so carnivorous, the egg so nocturnal, a Chinese executioner so ingenious, the heart so unpredictable, the prestidigitator so deft, the star so portentous, the snake sliming its prey, so intent. . . . I speak, I work, I wind, I unwind, I calculate, I muse, I weave, I winnow, I knit, I plait. . . ."

The author has invested the play with modern emotion, and reveling in verisimilitude, causes Jocasta to say to Oedipus as she lifts him in the nightmare, "Don't make yourself heavy, help me." Oedipus, successfully vivid, pants and arrests

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the eye, Jocasta half infatuates, the Sphinx—symbolizing the machinery of the gods' injustice—inspires fear, though her literal femininity and emphasized claws point to a crochet on M. Cocteau's part. He appears to have an unfeminist yet not wholly detached attitude to woman; Jocasta being, like the Sphinx, "of the sex which is disturbing to heroes." Burdensome yet seductive, she asks, "Am I so old then," and adds, "Women say things to be contradicted. They always hope it isn't true." But also as part of the author's mental tendency, she is "poetic" and has the aspect of sculpture—dead, white, beautiful, with closed eyes.

At the end of the play, instead of a somber dimming of personality as in the Greek play, there is an allusion to "glory," as completing the destiny of Oedipus, and horror is relieved. Ought it to be?

One must not put *hic jacet* on a living person; Jean Cocteau gives the effect of concentration, rapid communication, self-amused satire, of suitably interesting creatures, of haberdashery, and of colors grayed by lime. Convinced of his liveliness and energy, aware that imagination with him is not an appurtenance but an ichor, as it was shown to be in "Le Sang d'un Poete," one has, nevertheless, the sense of something submerged and estranged, of a somnambulist with feet tied, or a musical instrument in a museum, that should be sounding. He is like a person of valor in a fairy tale, changed by hostile enchantment into a frog or carp, compelled to sequestration in a well or pool. There is here a riddle for him to solve, because great art must obsess one; it is not a thing which can be left and returned to at will. In myth there is a principle of penalty: Snowwhite must not open the door of the dwarf's house when the peddler knocks, Pandora must not open the box, Perseus must not look at the gorgon except in his shield; and Jean Cocteau, in refusing to be answerable to any morality but his own, is in the Greek sense impious and unnatural. But he is a very fine inhabitant of the Underworld. In anything he writes he realizes an atmosphere of his own, is willing to be betrayed as well as supported by his congenital appetites, and reaffirms himself in sundry psychic weather vanes and favorite fancies.

MARIANNE MOORE

Lover's Indulgence

REPERUSALS AND RECOLLECTIONS. By Logan Pearsall Smith. Harcourt, Brace and Company. $3.50.

THOUGH the author has nothing new to contribute to our critical understanding of literature, and though his whole intention seems to be to exhibit a rather obvious and academic personal taste, yet there remains a quality of charm in these essays, a flavor of leisurely good gossip, which gives them readability. In the matter of pure appreciation of previously ascertained literary values, Logan Pearsall Smith is already famous. Now he writes well, if wordily, on many subjects: on the English aphorists, on Carlyle as the "Rembrandt of English prose," on Jeremy Taylor, on the sermons of Donne, on Sainte-Beuve and Montaigne and Madame de Sévigné and others—including, inevitably, Walter Pater. At his discursive best—as in the essay on the quaint diary of his American Quaker ancestress, Ann Whitall—Mr. Smith is neat, informative, and entertaining. But what can we, schooled to a scientific appraisal of letters, say of a critic who writes of "the glories of our literature" and complains that there has been no interesting or beautiful prose composed since the later "glories" of Henry James? I think that we can only

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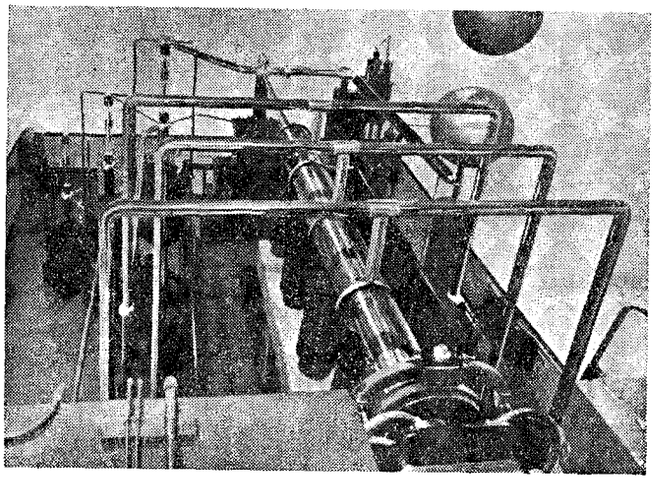

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adapt a metaphor from Amiel, and call Mr. Smith a gardener rather than a geologist. He cultivates the earth for its flowers; he does not dig deep enough to understand it.

"There are readers—and I am one of them—"Mr. Smith confesses on page one, line one, "whose reading is rather like a series of intoxications. We fall in love with a book. . . ." So we follow Mr. Smith's infatuations; the most notable, as well as the most constant, object of his highly articulate affections being the Purple Passage. He even presents a spirited defense of what he calls Fine Writing (the sort of thing Pater did), making his points against some puritanical moderns, like Herbert Read and Middleton Murry, with all the fire and some of the unscrupulousness—to apply Mr. Smith's own figure—of a lover or a drunkard. But perhaps Mr. Smith's passion for Fine Writing ought better to be described as an addiction to it. Here, at any rate, is the result: "Deep in the *male bosom,* from before the *dawn of history,* there has persisted an *almost religious awe* of the *unsullied chastity* of the other sex." In one frightful sentence four frightful clichés. Positively, Mr. Smith, this is debauchery!

Criticism apart, though—and who expects criticism from a lover—there are many excellent passages of appreciative insight in these essays. They are the product of a cultivated mind, soaked—one might almost say, sodden—with the phrases and rhythms of great books. Mr. Smith will add little to your understanding, but his essays may be numbered among your pleasures.

MICHAEL SAYERS

A Century of History

THE HUNDRED YEARS. By Philip Guedalla. Doubleday, Doran and Company. $3.

MR. GUEDALLA'S performance is always brilliant, and in this instance he has been brilliant enough not to undertake "the despairing enterprise" of trying to cram a century into a volume. What he gives us is "the leading moments . . . as they affected the leading units of the Western world," a discontinuous method applied to a consecutive plan, not a "peepshow of picturesque events, but an unwinding panorama in the last scene of which we are living." Within "the strictest limits of historical precision" he has striven for a living presentation of scenes, situations, and forces, and tried to see them through the eyes of contemporary witnesses.

But though scenically and psychologically they have the look and accent of their time, inevitably, because of the underlying plan, the last scene in which we live colors our sense of the earlier scenes. When the dawn rises over the Western Hemisphere on a summer day in 1837, we already feel the tug of the unwinding scroll. It rises over Kensington, where a young girl will awake to be queen of a country she will not fully know and will give her name to an epoch she will not understand; over St. Petersburg, slumbrous twelve years after the Dekabrist revolt; over Vienna, more interested in dancing and *Schlagsahne* than in the explosive possibilities around its frontiers; over the "uncomfortable mosaic" of the German Federation; over Paris, where Louis Philippe sits stolidly on a volcano; over Spain, already stormy; over the United States, where the terrible depression is in full swing, having burst on the astonished citizenry one month after President Van Buren's inaugural speech celebrated "an aggregate of human prosperity not elsewhere to be found." In 1848, year of revolutions and dictators, the Chartist demonstration collapses miserably at Kensington

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Common, the inability of the English to apprehend general ideas, Mr. Guedalla holds, combining with the climate to make revolution impossible; but in France ideas and musket shots "almost imperceptibly" ease out the Second Republic and a few months later usher in the Second Empire; in America the treaty of Guadalupe-Hidalgo ends the Mexican War with the cession to the United States of vast territories which change its shape, possibilities, and sectional relationships. Henceforth its destinies will be continental, molded by transportation, and the first freight carried out of Chicago in this same year by the Galena and Chicago Union Railroad is more important historically than all the European alarums and excursions. Such evaluations, however arrived at, are Mr. Guedalla's obeisance to the economic aspects which he indicates here and there in telling paragraphs, but the reader must bring a good deal of predigested knowledge to their elaboration and criticism. In 1861 Russians cease to be serfs but do not become free men, and at Charleston, South Carolina, the firing on Fort Sumter ushers in the long process toward a similar result. In Europe it is becoming painfully obvious that there is a German point of view, and in '71 the dramatic scene in the Hall of Mirrors at Versailles subsumes the whole Machiavellian policy of Bismarck and the precarious equilibrium of Europe. The swaggering figure of William I frightens France into the arms of Russia and England into the arms of France. The portrait of the German emperor is the conventional one, but it is done with such verve and virtuosity that he disputes only with "that formidable man" Lenin the foreground of one's memory after the book is read.

The emphasis is mainly on politics and personalities, the point of view liberal and British, the method pictorial. Mr. Guedalla is a scenic artist. If he has somewhat novelized and personalized history, he has done so within the framework of historic events and with better balance and greater erudition, charm, and wit than we are likely to get from any other popular historian. But in making pictures much must be sacrificed to composition. There is almost nothing about the development of industry, either technically or socially, nothing about emigration. Social movements, arts, and sciences hardly come within the scope of the book, and though there is an underlying plan, and many acute observations, there is no underlying philosophy. A small atlas of maps showing the progressive changes in the boundaries of Europe and the United States is a valuable feature and a welcome exception to the inadequate cartography of most historical narratives.

CLARA GRUENING STILLMAN

The Usable Past

SCENERY THEN AND NOW. By Donald Oenslager. W. W. Norton and Company. $5.

IT CAN be said, I think, without pulling the Woollcott over anyone's eyes that American scene designers show a surprising aptitude for expressing themselves in prose as well as in paint. Aline Bernstein has just trekked with the "American Caravan" to its latest oasis. Robert Edmond Jones's occasional prose pieces have the smoldering elegance of his best costume designs. I have been a part-time journalist and author since 1914. Donald Oenslager now continues the tradition in a fluently written volume that analyzes the relation of the theater today to its past, and demonstrates with a good deal of critical acumen and theatrical imagination how the modern designer can make use of the traditions

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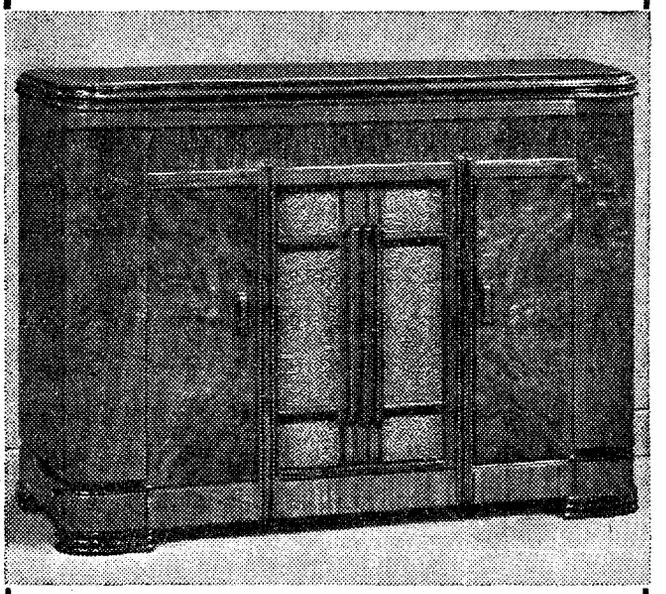

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of the theater's heyday, in Aristophanes's Athens, Plautus's Rome, Gozzi's Venice, Molière's and Racine's Paris.

Mr. Oenslager has too acute a sense of theatrical presentation to become a pious revivalist. With all his enthusiasm for the accepted glories of the theater's past, he has no interest in academic resuscitation. "Convention in art," he points out, "is flexible experiment tightened by constant practice into common procedure." Historic methods of staging plays "may open up a new world of invention for the scene designer if he will put its ancient traditions to new uses."

Being a first-rate scene designer, he treats scenery as part of the dynamics of production, as only one element in putting a play over. He revives the past by giving his reader a sense of what it may have been like or must have been like to witness a performance at Athens, Rome, or Versailles. The "classic" play, whatever its period, is to him always a good show, and as a historian he recreates the impact of a particular type of play on a particular audience, its vitality and glamor, the particular emotional tingle it aroused and sustained. His successive obeisances to historic models are imaginative reconstructions of performances that have all the excitement of successful opening nights.

The revival of Plautus's "Casina" is played against a comic backdrop of a Roman street that is a vaudeville backdrop in "one," and the comic business is put over with all the slapstick directness of vaudeville. "The Birds" becomes a fantastic revue about aviators, an "Attic Follies." It needs "a strong tonic of all the most vigorous elements of modern production. It must be pitched to the tempo of burlesque and vaudeville with the variety of a three-ring circus and the new dimensions of radio and even the movies—Gershwin music, and scenery with newfangled lights—for actors, the Marx Brothers, Victor Moore, Beatrice Lillie, and a chorus that can mime as well as dance." A revival of Gozzi's "Love of the Three Oranges" with Prokofiev's music "must be completely exposed to the contagion of theatrical combustion. First the scenario must be translated into the satiric idiom of our own day. Scenery and costumes may have as many styles as there are comic artists to draw them. Ask Thurber and Disney, Dali and Fox to design the production. . . . The King belongs to Soglow. Smeraldine is a black-faced Topsy. The giantess is a Macy's Thanksgiving Day parade gollywog balloon whom the fearless Prince deflates and mortifies in no time."

Mr. Oenslager is not solely interested in cutting Max Gordian knots or outflaunting the Billy Rose. He revives "Egmont" with somber affectedness and fills the fjords and fields of "Brand" with romantic chiaroscuro, relying on what he calls "the miracle of light," electric light that in the modern theater "is an emotional and dramatic medium capable of infinite expression and as subtle as a whispered phrase or as obvious as a comic strip." Mr. Oenslager's most original contribution is, I think, his restaging of "The Emperor Jones," in which the tree trunks of a shadowy forest gradually take shape as African totem poles, symbols of atavistic fear, and Jones's final terror is dominated by a gigantic jungle idol.

Unfortunately the technique of Mr. Oenslager's drawings, dramatically interesting and imaginative as almost all of them are, is the least original element in the volume, being derived from the type of black-and-white rendering that Robert Edmond Jones made his own a number of years ago in his drawings for "The Jest," "Richard III," and "Hamlet." But the fact does not detract from the originality of the volume,

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which as a whole demonstrates how a repertory theater today, in the hands of directors and designers as imaginative as Mr. Oenslager, might be made continuously exciting even to Broadway audiences.

LEE SIMONSON

Modern Dance in America

AMERICA DANCING. By John Martin. Dodge Publishing Company. $3.

THIS is the most complete account we possess of the modern dance in America. The first part is a statistical survey of the growth and present status of the dance movement. The number of groups that practice this art is truly impressive, and Mr. Martin makes the most of it as evidence of a popular awakening to the dance. There is a good account of the influences which formed the present generation; Isadora Duncan, Delsarte, and the Denishawn group are regarded as the most important. Mr. Martin thinks ballet has had no influence except a negative one, and he minimizes the importance of the Continental modern dance in the formation of the American modern dance. In the final section he gives the training, artistic credos, and principal works of some two dozen of the better-known dancers. This part contains useful information but lacks critical discrimination. Everyone turns out to be "unique" and "the greatest living" something or other. In a work of description and propaganda this may pass, but the omission of Louis Horst's work in the training of Martha Graham's group is harder to justify. Mr. Horst and Miss Graham's group give a demonstration of this training and of the relation of the pre-classic musical and dance forms to the modern dance which is the best rationale of the modern dance that I have encountered.

In the theoretical and critical part of his book Mr. Martin becomes very confusing. He attacks such questions as tradition, the nature of a national art, and the relation of dance to music, literature, and the theater, as though he had never pondered the words of the standard critics. He writes heatedly, but I could not discover that he had a consistent critical position; he repeats popular battle cries, but sheds no light. Where he excels is in his acquaintance with all the facts of the movement. Mr. Martin, indeed, as dance critic on the *Times,* organizer of the New School series on the dance, member of the Bennington School of the dance, as lecturer and tireless propagandist, is himself one of the leaders of the movement. He knows the work of teachers, organizers, and propagandists as well as that of the celebrated performers. It is pleasant to find work of this kind recognized.

FRANCIS FERGUSSON

New Novels

NOT ALL RIVERS. By Adriana Spadoni. Doubleday, Doran and Company. $2.50.

THE question of what shall be the political position of honest liberals faced with the facts of oppression and violence is a legitimate subject for novelists today. Miss Spadoni, in the last third of a longish novel, confronts her heroine with one of the California growers' strikes. Pickets are beaten, vigilantism is riding high, workers' makeshift homes are burned, and as a last straw the heroine's husband, a liberal lawyer unsuccessfully defending the workers' cause, is beaten by the local "Committee of Safety." What shall a liberal do if he cannot quite join his ranting direct-action friends? Miss Spadoni is a little muddled in her answers,

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THE CASE HISTORY OF THE FARMER-LABOR PARTY *By Charles R. Walker*

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but she states the problem with force and considerable passion. The first part of her novel, in which her heroine grows up as a woman, is less impressive. Growing up, in this case, seems to mean a realization that love and sexual desire are not the same thing. This momentous conclusion seems unimportant and irrelevant in the light of the real intellectual conflict offered in the latter part of the book. Which does not mean that the relationship of loyalty to sexual passion is a less interesting subject for fiction than is society, but merely that Miss Spadoni is better equipped to describe if not to resolve the difficulties which society presents.

LANCER AT LARGE. By F. Yeats-Brown. The Viking Press. $2.75.

Mr. Yeats-Brown, the incurable lancer, returns to India after fifteen years. His travels take him to Meerut, to Calcutta, to Madras, to Bombay, to Peshawar, and to various places in between. He considers India's ancient past as well as its disturbed present. He is fascinated by Yoga and gives explicit directions for meditation, including breathing exercises which have to be undertaken with care or they may be dangerous. He interviews government officials, Swamis, gurus, untouchables, Brahman priests, Hindu mystics, women, and Mr. Gandhi, and watches at the Allahabad fair the procession of naked bhairagis on their way to the holy Ganges. India, he says, is a land of paradoxes, "cynical, credulous, coldly ascetic, madly passionate," its people are "experimenters with the most delicate and devastating of vices, and practicers of the most absolute purity!" And there are 350,000,000 of these people. A book about such a country and such a people cannot fail to be in some degree interesting. But the traveler's chitchat, interspersed with his own mystical yearnings, which Mr. Yeats-Brown offers his readers is not interesting enough. India deserves a better book.

TOLD WITH A DRUM. By Edward Harris Heth. Houghton, Mifflin Company. $2.

What happened to German-Americans during the World War has been told often enough. That, of course, is no reason why it should not be told again, if in the telling the author presents some important artistic conception to give his story meaning. Mr. Heth has merely been realistic, sympathetic, and clear. This is enough to make a novel pretty good but not first-rate.

CAROLINE SMITH

RECORDS

VICTOR'S new recording of the music of "The Mikado" (11 records, $16.50), made by the D'Oyly Carte Company, is well sung and clearly recorded and should give pleasure to many people. But it disappoints those who know the old set which it replaces. The words of Ko-Ko as sung by Henry A. Lytton in the old set had a sharpness, a sting, that is essential to their meaning and effect, and that is lacking in them as Martyn Green sings them in the new set; and this may be said also of the words of Katisha as sung by Bertha Lewis and now by Josephine Curtis. What it is that is lost one can hear in the singing of Darrell Fancourt, who is the superb Mikado of both sets. And there is in fact a loss of spirit in the entire performance. Also the new set is issued without a libretto.

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Possibly the failures of American composers should be recorded, but they should be offered to the public as failures, not as successes. I hate to think of anyone deciding to see what there is in cultivated music, and deriving his idea of it, as a result of Victor's selling talk, from the records of MacDowell's Piano Concerto in D minor, and particularly from a performance in which the solo pianist, Jesus-Maria Sanroma, does not play the music but attacks it in the steel-fingered manner appropriate to Stravinsky or Toch. And the crowning ineptitude is to include in the same album two records of a Divertissement by Ibert—presumably because it, too, is played by the Boston "Pops" Orchestra under Fiedler (5 records, $7.50).

Flagstad's recording of Elsa's Dream on a single Victor record ($2) is her best so far, and better than "Dich, teuere Halle" on the reverse side. But these other Victor items I do not recommend: Beethoven's "Leonore" Overture No. 3, played by the Vienna Philharmonic under Bruno Walter (2 records, $3); Balakirev's "Islamey," played by Simon Barer (1 record, $2); the Brahms-Dvorak Hungarian Dances Nos. 18 to 21, played by the Minneapolis Symphony under Ormandy (1 record, $1.50); "The Heavens Are Telling the Creation" and "Achieved Is the Glorious Work" from Haydn's "The Creation," sung by the Royal Choral Society with the London Philharmonic under Sargent (1 record, $1.50).

In most of the performances on Victor records by Benny Goodman's large band one hears a great deal of the brilliance and verve of the band as a whole, and not enough—for my taste—of the individual quality of certain fine players. Krupa's drumming is of course always prominent, there is no performance without its phrase or phrases from Goodman's clarinet, and occasionally there is a trumpet or saxophone solo, but almost never does one hear Stacey, who is a pianist of unusual delicacy and taste (he contributes the piano solo in "Blues of Israel," which I mentioned a few weeks ago). The recent performances of the large band that I have enjoyed are "St. Louis Blues" (Victor 25411) and "Alexander's Ragtime Band" (25445); but I have derived most pleasure from the marvelous performances by Goodman and Krupa with Teddy Wilson at the piano and Lionel Hampton at the vibraphone (my pleasure has not come from the vibraphone): performances of "Tiger Rag" (25481) and "Exactly Like You" (25406) by the trio, and of "Dinah" (25398) by the quartet. The playing of Goodman and Wilson grows constantly richer in style, and in these performances there is an astonishing increase in the richness of Krupa's contribution—its intricacy, and withal its subtlety and integration with the work of the others.

Good things on Bluebird records are "Casey Blues" and "I'se Just a Bad Luck Man" (6519), sung by Casey Bill with superb accompaniment of guitar, piano, and bass; "Shreveport Farewell" (6733), a piano solo by Little Brother; "Washboards Get Together" (6633), by the Washboard Serenaders; and two old Duke Ellington items—"Old Man Blues" (6450) and "Saratoga Swing" (6565). If you don't know them already, investigate Ellington's "Swing Low," "Ducky Wucky," and "Swanee Rhapsody" (Brunswick 6432, 6288).

If you are interested in records made by Battistini, Melba, Sembrich, and other singers of legendary greatness, you will find a collection of them at the Vesey Music Shop, 67 Vesey Street, New York, a catalogue informs me.

B. H. HAGGIN

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CHICAGO GOES BROKE

An astonishing article by Milton S. Mayer

in THE NATION next week

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DOROTHY THOMPSON, one of the keenest observers of our time, writes in the current SURVEY GRAPHIC Magazine an interpretation of the peace movement in the United States. This distinctive contribution is based upon a complete exploration, made by Marian Churchill White for the SURVEY GRAPHIC research staff, of every organized, voluntary group whose major activity is the promotion of world peace.

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Letters to the Editors

Effective Neutrality

Dear Sirs: There is a confusion of two issues which are best kept distinct in Mr. Villard's Issues and Men, published January 2, and your editorial of January 9, on the subject of neutrality legislation. Question one: Should a neutral embargo by the United States apply to all belligerents in all cases, with no provision for making a distinction even in the clearest of circumstances between aggressor and law-abiding victim? Question two: If there were to be differentiation between victim and aggressor by the United States, should the decision in a particular case be made by the President, by Congress, or by the two jointly?

Of course, the so-called "mandatory" embargo favored by the isolationist Senators would allow for no distinction at all between attacker and attacked, so the second question would simply not arise. But it is incorrect to assume, as Mr. Villard does, that a policy of cooperating with other nations for the purpose of discriminating against clear violators of the Kellogg pact must leave the ultimate decision with the President. Such a policy could be *either* discretionary for the President or mandatory upon him to report to Congress and obtain its authorization before taking any action.

This latter plan is the one actually proposed in the neutrality bill drawn up by the expert committee of the National Peace Conference in December, 1935. I quote its Section 7:

> If the President shall find that one or more of the belligerent countries [to which a temporary embargo has automatically been applied, as provided earlier in the bill] was attacked in contravention of the provisions of the Pact of Paris, and if such finding is concurred in by a majority of other non-belligerent countries parties to said pact, he shall so advise the Congress, and, with its consent, he may revoke his embargo proclamations issued under Section 3 of this act in respect to such country or countries so attacked, and the provisions hereof shall thereupon cease to apply in respect to such country or countries.

Such a policy would maintain the prerogatives of Congress, it would not commit the United States to deciding on the aggressor in unclear cases (as judged by the President and Congress), and it would not put the United States in the position of single-handed action that might lead to attack by the aggressor. It is much more likely to keep the United States out of a major war than the "cast-iron" all-inclusive embargo of all belligerents, for this latter would almost surely prove untenable against the internal economic pressures that would develop after a year or so, and the propaganda for its abandonment would very likely unite with other propaganda making for entry into the war.

EUGENE STALEY

Chicago, January 15

100 Per Cent Organized

Dear Sirs: Milton S. Mayer, in *The Nation* for January 16, says that the *Abendpost* of Chicago is 100 per cent organized by the Chicago Newspaper Guild. I wish to call your attention to the fact that the Jewish daily press of Chicago has been 100 per cent organized for some fifteen years. The J. L. Peretz Writers' Union, a federal local (Local 17886), was, until the recent organization of the Guild, the only writers' union in existence. The membership includes not only Jewish writers but also several staff members of the *Federationist*, the official publication of the Chicago A. F. of L.

MORRIS SILBERT

Chicago, January 25

Dossier on John Toussaint Bernard

Dear Sirs: John Toussaint Bernard, the new Farmer-Laborite from Minnesota's Eighth Congressional District, the only Congressman to vote against the ban on help for Spain, lives at Eveleth, Minnesota. He is a Corsican and extremely proud of it. He was born on the Island of Corsica, March 6, 1893, which makes him not quite forty-four. He reached Eveleth in 1907. The public schools of France and Eveleth tutored him. He is by occupation both a city fireman and a miner. He is a member of the Mine, Mill, and Smelter Workers' Union and a leader among them in his area. He is a World War veteran, having served twenty-five months in the army, of which fifteen were spent with the A. E. F. in France. He is married and has one child. He got 70,063 votes as against his Republican opponent's 54,067; his opponent was the then incumbent, William Pittenger.

During and since his successful campaign for Congress, he has told his constituents in his public speeches that it doesn't pay to trust any man too much and that, though they trust him, they had better keep checking up on him in his work at representing them here. He says that as a Congressman he proposes to be guided solely by his own mind and conscience, secure in the knowledge that he can always go back to being a miner if political independence brings him political misfortune.

W. L. G.

Washington, January 16

Six Lines' Worth

Dear Sirs: In your issue of December 19 Mr. Gunther writes, "Mr. Luce of *Time* invented 'snuggery' to describe Fort Belvedere."

"The New Merriam-Webster," latest of our great dictionaries, gives six lines of its valuable space to this word and quotes as authorities William De Morgan and H. Speakman.

D. SCUDDER

Claremont, Cal., January 20

Safety in the Air

Dear Sirs: The letter from John Miller, a former air pilot, in your issue of January 30 reminds me of a story which is told about the famous pianist Leopold Godowski. Mr. Godowski had arranged to make a trip by air. Shortly before he was scheduled to take off, the newspapers were full of the news of a fatal air crash, whereupon Mr. Godowski called the clerk in his hotel and asked him to cancel his reservation. When the clerk called the air line he met with a great reluctance to cancel the reservation and a long argument about the safety of air travel, including the number of miles flown without accident. The clerk was finally worn down and promised to convey these arguments to Mr. Godowski.

When Mr. Godowski remained unconvinced, the clerk, who by this time had been persuaded not only by the arguments of the air-line official but by his own eloquence, resorted to philosophy.

"Everybody has to die some time. And

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when your time comes you'll die, wherever you are."

"That may be," said Mr. Godowski, "but I see no reason why I should insist on being ten thousand feet up in the air when the pilot's time comes."

ALEXIS CORNFEATHER

New York, January 30

Mt. Holyoke Steps Backward

Dear Sirs: This is the last year that we shall have a woman as president of Mt. Holyoke College. Many of us who have seen President Mary Woolley's published statement of her reasons for thinking that a woman should have been chosen as her successor wish to express our appreciation of her courage in saying with her usual farsighted wisdom that the action of the Mt. Holyoke trustees in giving this position to a man has meant "striking a blow at the advancement of women the seriousness of which can hardly be overestimated."

A New York newspaper recently discovered 124 men and 183 women of professorial rank in the seven leading women's colleges and commented editorially that "if women are able to fill the higher teaching and research positions, we should expect more women than we actually find." But those of us who have, over a long period of years, seen able women fail to get well-earned appointments solely because they are women would say that it is wonderful to find so many women actually holding full professorships, especially in view of the fact that two of these colleges—Barnard and Radcliffe—are organized under conditions which make opportunities for women of professorial rank almost negligible, and two other colleges in this group have men as presidents.

Mt. Holyoke, according to the same newspaper, has been "strongly and consistently" generous in its recognition of women, with 4 men and 46 women holding professorships. Wellesley, with a woman president, has also been generous to women, with a professorial staff of 13 men and 52 women. In Smith College, on the other hand, with a man president, the men on the faculty have received full professorships very much more frequently than the women, and the professorial staff includes 44 men and 26 women.

It is important, also, to remember the parsimonious grants of graduate scholarships, fellowships, and assistantships that go to women. After all, every college woman knows that research opportunities in the great centers of graduate study are largely for men students. The great foundations, research councils, and research funds of all kinds are still administered by men, who make grants, again, almost exclusively to men. Chicago is perhaps the most liberal to women of all the great universities, but no one who looks at the situation here objectively can think that promising women students have equal opportunities with men. Miss Woolley has been the leader of the American Association of University Women, which has been struggling to support a handful of fellowships to try to meet the needs of the large number of able women who are practically excluded from the fellowships provided by the greatest universities. We shall miss Mt. Holyoke's leadership here.

Many of us mourn Mt. Holyoke's step backward. But women are used to disappointments, and we can take some comfort in the thought that education of any sort for women is still a very recent achievement. In my grandmother's day Thomas Wentworth Higginson delivered his well-known address, "Should Women Learn the Alphabet?" And during the last June Commencement season our Middle Western newspapers commended the University of Wisconsin for awarding a degree to a woman aged eighty-seven who had graduated seventy years earlier without a degree because the university did not grant degrees to women in 1866.

EDITH ABBOTT

Chicago, December 15

It's a Cold Winter

Dear Sirs: Contributions of money or warm clothing for men, women, and children are urgently needed by strikers in the mills owned by the Schuster-Hayward Woolen Company in East Douglas, Franklin, and Millbury, Massachusetts. The strike is being conducted by the United Textile Workers of America, affiliated with the C. I. O.

The strike has lasted twenty-two weeks, and in spite of repeated appeals, almost no help has been obtained from local relief agencies for the 1,700 people in need. Whether you are fat or thin, short or tall, your cast-off clothing will keep some striker or striker's children warm this cold winter, a winter made bitter by insufficient fuel.

Please express or mail your contribution to John Chupka, Depot Street, East Douglas, Massachusetts.

JOHN CHUPKA,
President, Local 2260

East Douglas, Mass., January 15

Correction

[In the article Profile of General Motors by Samuel Romer, which appeared in our issue of January 23, it was stated, through an error in transcribing proof corrections, that G. M. "in 1932, when it operated at an enormous deficit, paid dividends of $53,993,330." The corporation just about broke even in that year, earning only $164,979, but it did pay out practically $54,000,000 in common dividends. In 1921, when it operated at a loss of $38,680,770, it paid out $65,459,056.—EDITORS THE NATION.]

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